

# FEDERAL REGISTER

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*Washington, Thursday, February 1, 1945*

## *The President*

### EXECUTIVE ORDER 9516

#### POSSESSION AND OPERATION OF THE TRANSPORTATION SYSTEM OF THE BINGHAM AND GARFIELD RAILWAY COMPANY

By virtue of the authority vested in me by the Constitution and laws of the United States, including the act of August 29, 1916, 39 Stat. 645, the First War Powers Act, and the War Labor Disputes Act, I hereby authorize the Secretary of War to take possession and assume control of the transportation system of the Bingham and Garfield Railway Co., together with any real or personal property, wherever situated, used in connection therewith, and to operate such system in accordance with the provisions of all applicable laws and in such manner as he may deem needful or desirable for the effective prosecution of the war. Possession and control of the said system, or of any part thereof, so taken shall be terminated by the Secretary of War within sixty days after he determines that such possession and control are no longer needful or desirable for the effective prosecution of the war.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
January 24, 1945.

[F. R. Doc. 45-1832; Filed, Jan. 30, 1945;  
2:58 p. m.]

## *Regulations*

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter II—War Food Administration (Commodity Credit Corporation)

#### PART 258—AMERICAN CHEDDAR CHEESE PAYMENTS

#### OFFER IN CONNECTION WITH PURCHASE AND SALE OF AMERICAN CHEDDAR CHEESE IN UNITED STATES

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**AUTHORITY:** §§ 258.1 to 259.16, inclusive issued under 49 Stat. 4, 50 Stat. 5, 53 Stat. 510, 55 Stat. 498, 57 Stat. 569; 16 U.S.C. and Sup. 713.

§ 258.1 *Introduction.* The Commodity Credit Corporation (hereinafter called "Commodity"), a corporate agency of the United States, hereby offers, subject to the terms and conditions hereinafter specified, to purchase American Cheddar cheese from any manufacturer thereof (hereinafter called the "manufacturer") in the continental area of the United States, and to sell such cheese to such manufacturer.

§ 258.2 *Agreement to purchase.* Commodity will purchase from any manufacturer all American Cheddar cheese produced by such manufacturer during the months of January, February, and March 1945, and during each subsequent month of 1945 as Commodity shall designate. The price to be paid for such cheese shall be 27 cents per pound in the case of cheese with a moisture content of more than 37.75 percent, and 27.25 cents per pound in the case of cheese with a moisture content of 37.75 percent or less. Such purchase prices will be paid in the manner prescribed in § 258.5. The weight and moisture content of cheese purchased by Commodity hereunder shall be determined by the weight and moisture content of the cheese at the time it is received from the manufacturer by a receiver or at the time the manufacturer becomes the receiver.

§ 258.3 *Agreement to sell.* Commodity will sell to each manufacturer all such cheese purchased from him pursuant to § 258.2 at 23.25 cents per pound. Such sale price shall be paid in the manner prescribed in § 258.5.

§ 258.4 *Time of purchase and sale.* Purchases by Commodity hereunder shall be deemed to be made at the time the American Cheddar cheese is produced by the manufacturer, and sales by Com-

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modity hereunder shall be deemed to be made immediately thereafter.

§ 258.5 *Settlement.* Settlement hereunder for American Cheddar cheese purchased from, and sold by Commodity to, the manufacturer shall be made on a monthly basis. Claims against Commodity for payment of the difference between the purchase price payable by Commodity under § 258.2, and the sale price payable to Commodity under § 258.3 on the quantity of cheese purchased from and sold to the manufacturer during the month covered by such claims shall be presented by the manufacturer to Dairy Products Marketing Association, Inc., which has been designated to receive such claims for and on behalf of Commodity. Such claims shall be submitted on or before the last day of the month following the month covered by such claims. Claims shall be supported by

(a) Dairy Products Report No. 1 (U.S.D.A. Form No. C. E. 9-119 Rev.) and Dairy Products Report No. 3 (U.S.D.A. Form No. C. E. 9-121) applicable to the month for which the claim is submitted. These forms are currently required to be submitted to the United States Department of Agriculture, P. O. Box 6910-A, Chicago, Illinois, pursuant to War Food Order 15 as amended (formerly FDO 15), and such submission shall also satisfy the requirements of this paragraph.

(b) When required, a certified statement by each receiver of American Cheddar cheese showing the quantities, weight, and moisture content of cheese received from the manufacturer during such month.

The documents (including statement of claim) presented pursuant to this offer shall be in such form and contain such certifications as Commodity may prescribe. The manufacturer shall keep books and records sufficient to show the information set forth above and all additional information which may be required by Commodity, and shall permit inspection of his books, records, and accounts and of his stocks of American Cheddar cheese by Commodity.

§ 258.6 *Payments to milk producers.* The manufacturer shall distribute to milk producers who supplied whole milk to a plant during any month with respect to which claim is submitted hereunder an amount equal to the difference between the purchase price payable by Commodity under § 258.2, and the sale price payable to Commodity under § 258.3 for cheese purchased and sold during such month. Except as Commodity may otherwise direct, such payments shall be distributed pro rata among the milk producers on the basis of the amount otherwise paid to the producers for whole milk delivered to such plant during such month. All such payments shall be in addition to the payments producers would otherwise receive for whole milk. The manufacturer shall give to each producer a written statement of the amount of the payment being made to him in consequence of this offer. If the manufacturer received whole milk at his cheese plant from another plant or milk receiver, the manufacturer shall arrange for similar payment to the producers supplying whole milk to such other plant or milk receiver. The manufacturer shall furnish proof of such payments to producers in such form and at such time as Commodity or its duly authorized agent may prescribe. Notwithstanding the foregoing provisions of this section, if the manufacturer is a handler under any order issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, regulating the handling of milk in any marketing area, he shall not be required to distribute payments received from Commodity on cheese manufactured from milk received from producers whose milk is covered by such order (payments to producers of other milk to be made as otherwise provided in this section.)

§ 258.7 *Trust fund.* An amount equal to the total amount payable to the manufacturer by Commodity under the foregoing sections of this offer shall be set aside by the manufacturer as a trust fund for the benefit of the milk producers described in § 258.6. Any portion of such amount which the manufacturer has not distributed to the milk producers entitled thereto within sixty days after the receipt of payment hereunder shall, at such time as may be directed by Commodity or its duly authorized agent, be paid to Commodity.

§ 258.8 *Sales to government agencies.* The manufacturer shall pay to Commodity 3.8 cents per pound of Cheddar

cheese and process Cheddar cheese, as defined in War Food Order 15, as amended, sold by him to any of the following government agencies during the effective period of any regulation of the Office of Price Administration establishing maximum prices for sales of such cheese to such agencies equal to the maximum prices on other sales of such cheese plus 3.8 cents per pound:

(a) War Food Administration and any agency thereof (including Dairy Products Marketing Association, Inc., acting for the War Food Administration)

(b) U. S. Army Quartermaster Market Centers (including Field Headquarters) and U. S. Army Quartermaster Depots.

(c) U. S. Navy Market Offices.

The acceptance of this offer by any manufacturer shall constitute his authorization to any such Government agency to deduct 3.8 cents per pound from the purchase price of the cheese so sold and to pay such 3.8 cents to Commodity on his behalf, and shall constitute his ratification of the action of any such Government agency in making such deduction and payment on his behalf. Unless such Government agencies shall have made such deduction, payment of the amount due under this section on cheese sold to such Government agencies shall be made by the manufacturer directly to Commodity not later than five days after payment of the purchase price to the manufacturer by such Government agencies. The manufacturer shall keep complete and accurate books, records and accounts with respect to all American Cheddar cheese and processed American Cheddar cheese sold by him to such Government agencies, and shall furnish to Commodity such information and reports relating to such sales as Commodity may from time to time request. Notwithstanding the foregoing provisions of this section the manufacturer shall not be required to make payment to Commodity pursuant to this section with respect to any such cheese for which he is obligated to pay, and makes payment of, to Commodity under War Food Order 15, as amended, 3.8 cents per pound.

§ 258.9 *Payments to manufacturers.* Payments shall not be made to the manufacturer if he has been determined by the agency responsible for the administration of the order not to be in compliance with any order issued by any officer or agency of the United States relating to the conservation, limitation, setting aside or allocation of cheese, or the procurement of cheese by the United States, or if he has been determined not to be in compliance with any order issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, regulating the handling of milk in any marketing area.

§ 258.10 *Filing of claims; notification.* Any manufacturer who intends to accept this offer, and any extension hereof, by performing the acts herein set forth shall, on or before filing the first claim for payment hereunder, notify Dairy Products Marketing Association, Inc., of such intention, but no such notification, in the absence of the performance of such acts, shall constitute an acceptance

of this offer or create any obligation of Commodity to such manufacturer.

§ 258.11 *Revocation or modification.* This offer, or any extension hereof, may be partially or wholly revoked or modified by Commodity with respect to any manufacturer at any time upon notice to such manufacturer, or with respect to all manufacturers, by Commodity's giving public notice of such revocation or modification. Such public notice may be given by press release or by filing of the notice with the Division of the Federal Register. Notwithstanding any such revocation or modification, settlement will be made as provided in § 258.5 hereof with respect to any cheese purchased and sold hereunder prior to such revocation or modification and as provided in § 258.8 with respect to cheese sold to Government agencies.

§ 258.12 *Accounts.* Except as may be otherwise directed by Commodity any amounts owing by the manufacturer to Commodity under this offer may be offset against any amounts owing by Commodity to the manufacturer under this offer, and vice versa.

§ 258.13 *Definitions.* For the purpose of this offer, the following terms are defined as follows:

(a) "Dairy Products Marketing Association, Inc." means the corporation of that name organized under the laws of Delaware on May 7, 1938, whose principal place of business is 110 North Franklin Street, Chicago, Illinois.

(b) "American Cheddar cheese" means Cheddar cheese as defined in the definitions and standards of identity for Cheddar cheese (21 CFR, Cum. Supp. 19.500), issued on January 6, 1941, pursuant to the Federal Food, Drug, and Cosmetic Act.

(c) "Receiver" means the dealer, assembler, or local buyer or other person to whom, or through whom, cheese is sold, or marketed, or to whom cheese is consigned or delivered for curing or storage: *Provided*, That, with respect to a manufacturer customarily storing and curing cheese for longer than four weeks or customarily processing cheese, such manufacturer shall be deemed to become the receiver of all cheese so stored, cured, or processed, on the fourth day following the manufacture of such cheese.

§ 258.14 *Members of Congress not eligible to share offer.* No Member of or Delegate to the Congress of the United States shall be admitted to any share or part of this offer or to any benefits to arise herefrom, but this section shall not be construed to extend to benefits arising from this offer if accruing to a corporation or to persons in the capacity of producers of milk.

§ 258.15 *Records and reports.* The reporting and record-keeping requirements of this offer have been approved by, and subsequent reporting and record-keeping requirements will be subject to approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

LEE MARSHALL,  
Vice President.

JANUARY 27, 1945.

[F. R. Doc. 45-1723; Filed, Jan. 23, 1945; 11:07 a. m.]

## TITLE 7—AGRICULTURE

### Chapter XI—War Food Administration (Distribution Orders)

[WFO 120-2]

#### PART 1405—FRUITS AND VEGETABLES

##### IRISH POTATOES

Pursuant to the authority vested in me by War Food Order No. 120 (9 F.R. 14475) issued on December 2, 1944, as amended (10 F.R. 103), and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1405.51 *Territorial scope.*—(a) *Definitions.* Each term defined in War Food Order No. 120, as amended, shall, when used herein, have the same meaning as is set forth for the respective term in War Food Order No. 120, as amended.

(b) *Specification relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from the County of Aroostook in the State of Maine.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., January 31, 1945.

(E.O. 9280, 7 F.R. 16179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, 9 F.R. 14475, 10 F.R. 103)

Issued this 27th day of January 1945.

C. W. KITCHEN,  
Acting Director of  
Marketing Services.

[F. R. Doc. 45-1753; Filed, Jan. 23, 1945; 12:11 p. m.]

[WFO 42b, Amdt. 3]

#### PART 1460—FATS AND OILS

##### REDUCTION OF QUOTAS

War Food Order No. 42b, as amended (9 F.R. 12680, 13619) is further amended as follows:

1. By deleting the table at the end of paragraph (b) (1) and substituting in lieu thereof the following:

Class of soap:	Permitted percentage
Package and bar soap	55
Bulk package soap	93

2. By deleting paragraph (i) and substituting in lieu thereof the following:

(i) *Exemption for washed, recovered linseed oil.* In computing the amount of fats and oils used under (b) (1) (b) (2) or (c) (1) hereof, a manufacturer need count only 50 percent of the actual amount of washed, recovered linseed oil so used.

This amendment shall become effective at 12:01 a. m., e. w. t., January 31, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42b, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 16179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of January 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator

[F. R. Doc. 45-1884; Filed, Jan. 31, 1945;  
11:45 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Jan. 31, 1945]

§ 944.34 *Priorities Regulation 13*—(a) *Purpose of this regulation.* This regulation describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed or who cannot use the material for the purpose for which he got it, may sell off the idle or excess materials only under the rules of this regulation. If he follows this regulation he does not have to look at any other order or regulation. This regulation also controls sales by Government Agencies, liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1). Transfers of materials from one plant or operating unit to another which is owned by the same person but which normally purchases separately are considered to be special sales.

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "materials" As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products. All sales of surplus materials or products by Government Agencies are special sales.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind in finished, semi-finished or raw material form.

(3) "Used materials" means any materials or products which have been put into actual use.

(4) Sales not covered by this regulation. There are six types of sales which are not covered by this regulation. They are the following:

(i) Sales of plant generated scrap meaning scrap which is generated in the course of manufacture or is the waste of industrial fabrication.

(ii) Sales of rationed products which are controlled by another Government Agency.

(iii) Sales of foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(iv) Sales of controlled materials acquired or produced by a controlled material producer for the purpose of further conversion into other controlled material forms.

(v) A sale of an entire business which is transferred as a going concern to a new owner who continues to operate it in the same or substantially the same form.

(vi) A sale made by a utility producer under Order U-1 or a petroleum operator under Order P-98-c.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above) the rules in this regulation apply and only these rules. He need not look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The types of special sales which may be made subject to the provisions of paragraph (f) (3) are the following:

(1) *Materials and products not on List A.* A holder may make a special sale of any material or product not on List A to any producer who makes such a product in the form in which the holder has it, or to a reprocessor, or to a wholesaler or retailer whose regular business is selling that sort of product. He may also sell it to a user, but the user may not use it for a purpose prohibited by War Production Board orders and regulations or he may sell it to a user who has been authorized by the War Production Board to use it for a particular purpose. Such sales may be made without requiring the buyer to apply or extend any preference rating or to obtain any authorization from the War Production Board. This paragraph does not apply to special sales for export which are covered by paragraph (c) (7) below.

(2) *Materials and products on List A.* If the material or product that the holder wants to sell is one of the materials or products listed on List A, the following are the only kinds of special sales that can be made. This paragraph does not apply to special sales for export which are covered by paragraph (c) (7) below.

(i) Special sales may be made in accordance with List A. That list has two columns showing classes of buyers who might want to buy. Opposite each item on the list in each column is shown

whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell any listed item freely to a producer or to a reprocessor unless a note in Column 4 states otherwise. A producer means any person who makes or produces the type of material or product which is being sold, and a reprocessor means any person who remakes, repairs or reworks new, rejected or second grade materials or products.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (PD-470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board. If a note in List A states that another form is to be used, application should be made on that form.

(iv) A holder may sell freely to anyone if he has a total of not more than \$100 worth of the particular material or product to be sold, unless it is one of the few materials or products for which special rules and amounts are stated in Column 4 of List A. In deciding how much he has and whether he may sell, a holder must count all he has of the same kind or type of material or product. In other words, the right to sell under this subparagraph depends upon the total value (at cost to holder) of the material or product the holder has, not on the quantity he may want to sell at any one time. A holder may treat the inventory of each of his separate plants and operating units separately under this subparagraph. For the purpose of determining whether a particular lot of material or product is suitable for the prospective customer's use, a holder may transfer a sample lot with or without charge, providing the amount involved (at cost to the holder) of any such sample does not exceed \$20.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. Paragraph (v) of CMP Regulation 1 tells when the buyer must charge his allotment account. A holder may also fill an order bearing the standard certification described in PR 7 and the words "Purchased for resale in accordance with direction 48 to CMP Reg. 1."

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations

either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the field office of the War Production Board in the region in which the material is located or to the appropriate materials division.

(3) Special orders. If the War Production Board by an order or in any other way has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they may do so. For example, a special sale of controlled materials or class A products obtained under the controlled materials plan may be made as explained in paragraph (u) (4) in CMP Regulation 1 when directed by the War Production Board or on instructions of a Claimant Agency. Similarly, special sales of idle aircraft materials may be made as explained in Directive 16.

(4) Sales to Government agencies. For the purpose of making a settlement of a Government contract surplus materials or products may be transferred freely from any subcontractor or prime contractor to a procuring agency or disposal agency of the Government, providing the procuring agency has so directed. However, if such material is later withdrawn from the contract settlement, its disposition is controlled by this regulation. A person may also sell freely to one of the following Government Corporations or to anyone buying as agent for one of them, even if the surplus materials or products are not involved in a contract settlement: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve or Rubber Reserve Company.

(5) Used materials. Used materials may be sold freely to anyone unless there is a notation in Lists A or B restricting the sale of the particular used material which the holder wants to sell.

(6) Sales of materials or products as scrap. Unless a note in List A states to the contrary or that another order governs the sale, this paragraph permits the sale as scrap of obsolete, unusable, or not readily salable materials or products which will be used or consumed principally as scrap, although some part of the material or product may possibly be salvaged by the scrap buyer. However, if the buyer by contract, warranty or otherwise has stated that the particular material or product being sold as scrap will be used or disposed of as

scrap, this regulation does not relieve the buyer from compliance with that condition.

(i) Unless a note in List A states to the contrary or that another order governs the sale, a holder may sell any material or product as scrap without stripping, disassembling or breaking it up before sale. Such sales may be made either to any consumer of scrap to be used only as scrap, or to any person regularly engaged in the collection, disassembling, sorting and disposal of that kind of scrap material, primarily for remelt or other scrap use. Subsequent sales of any salvaged materials or products by such a scrap dealer are not covered by this regulation, but are subject to any War Production Board orders or regulations which apply to the distribution of the particular material.

(ii) The sale at low prices, even as low as scrap prices, of prime or off-grade materials or products for use or resale "as is" does not constitute a sale as scrap and such sales may not be made under this paragraph. Instead such a sale is subject to all the other rules of this regulation which apply to sales of the particular materials or products.

(iii) This paragraph permits such sales only for use or resale within the U. S. A.

(7) Special sales for export. Where a special sale is made to a foreign purchaser or to a domestic purchaser who is buying for export or for resale to a foreign purchaser the following rules apply:

(i) Materials or products not on List B may be sold in special sales without restriction.

(ii) Materials or products on List B may be sold in special sales in accordance with the conditions described in the list applying to the particular item. If the buyer cannot extend a preference rating equal to or higher than that shown for the item, or if the list states "No", special permission is required. Application should be made on Form WPB-1161 unless another form is specified in the remarks columns. However, in the case of copper, copper base alloy, aluminum or steel in controlled material form, either the buyer or the seller may apply for permission by letter in duplicate to the appropriate Controlled Materials Division, Washington, D. C.

(iii) Nothing in this regulation relieves any exporter from complying with all applicable regulations of the Foreign Economic Administration or other Government Agencies who may have jurisdiction over exports.

(d) Transfers of surplus Government owned materials or products. Transfers of surplus Government owned materials or products (1) may be made freely to the Government Disposal Agencies, and (2) may be made freely between and within the War Department, Navy Department, Maritime Commission, War Shipping Administration, Veterans' Administration, and the Defense Plant Corporation, and from the Government disposal agencies to any of the above, unless a note in Column 4 of List A referring to this paragraph indicates otherwise.

(e) Replacing material sold. If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol or number stops when the seller receives it.

(f) Sales covered by this regulation.

(1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material, a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations which say that this regulation does not apply may be disregarded. To find the rules for making a special sale there is no need to refer to any orders or regulations other than Priorities Regulation 13.

(3) (i) The buyer may not violate any regulation or order controlling the quantity of material which he may buy or the amount of any product he may make or the use or disposition that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) Inventories. A person buying for use may receive any item of surplus materials or products if his total inventory of that item is or will by virtue of accepting such delivery be not in excess of his succeeding six months' requirements. If any applicable order or regulation permits a larger inventory than six months, nothing contained herein shall restrict receipts below that permitted by such order or regulation. This permits a person to exceed applicable inventory limits only if he acquires such excess under this regulation; however, he may not thereafter receive further deliveries from producers or distributors until his inventory is reduced to a practicable minimum working inventory. This sub-paragraph does not apply to receipts of capital equipment nor to persons buying for resale.

(iii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iv) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) Records. Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) Letters and questions. Any letters or questions about this regulation should be sent either to the War Production Board in Washington, marked "Ref: P. R. 13", or to any of the field offices of the War Production Board.

(i) Revisions of Lists A and B. Lists A and B attached to this regulation will be revised from time to time. A person



wishing to sell material under this regulation should be sure that he has the lists which are in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 31st day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

**Explanation of List A.** Column (1) of List A lists the materials or products that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Columns (2) and (3) each apply to a type of possible sale. Opposite each material or product in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) refers to persons buying for uses permitted by War Production Board

orders and regulations or for uses authorized by the War Production Board.

Column (3) refers to persons who are regularly engaged in distributing the material the holder has, like a dealer in chemicals or textiles. A dealer means any wholesaler or retailer whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products either to industrial users or to other persons. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such persons are not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by them.

Column (4). The provisions in Column (4) applicable to the particular material or product must be followed.

If the list shows "No," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in Column (4) allows certain kinds of sales. Paragraph (c) (2)

(III) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5", it means that the holder can sell to anyone who has an AA-5 or higher priority rating which he has extended to the holder for the particular sale. This regulation does not in any way assign priority ratings.

If the list shows "W. O. P." it means the holder can sell to the class of buyer listed at the head of the column without any priority rating or allocation or allotment being necessary.

If the list shows "X" it means that for the particular material or product the column in which it appears is not applicable.

List A is divided into five parts as follows:

Part I—Metals and Metallic Ores.

Part II—Chemicals.

Part III—Textile Fibers, Fabrics, Clothing, Leather and Related Products.

Part IV—Miscellaneous Materials and Products.

Part V—Machinery, Equipment and Components.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THE LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
PART I—METALS AND METALLIC ORES				PART I—METALS, ETC.—continued			
NOTE: Part I amended Jan. 31, 1945.				Copper—Continued.			
Aluminum (new and used)*.	No**	WOP	*Sales as scrap governed by M-1-d.	In controlled material form, etc.—Continued.	No*	WOP*	*Only to warehouses as defined in CMP Regulation 4, paragraph (c) (3) or to fill orders under paragraph (c) (2) (v) of this regulation.
In controlled material form.	No**	WOP	**Only to fill orders under paragraphs (c) (2) (v) and (vi) of this regulation.	Copper wire mill products (bare and insulated).	No*	X	
Not in controlled material form.	WOP	WOP		Foundry copper or copper base alloy products.	No*	X	
Babbitt (see Tin).	No**	WOP	*Includes ores, concentrates and metal beryllium.	Not in controlled material form (new and used):			*Only to persons, including producers and processors, authorized to accept delivery pursuant to Copper Order M-9 as amended.
Beryllium*.	No	WOP	**Beryllium copper master alloy may be sold without authorization to brass mills as defined in Copper Order M-9.	Copper raw materials (Ref. shapes and Cu. and Cu. base alloy ingots).	No*	No*	
Bismuth.	No	WOP		Semifabricated or fabricated unassembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper).	PR-AA5	WOP	*For the purpose of this order the only reproducers of copper controlled materials are re-rolls, redraw or insulating mills. Material may be sold only to such mills as have been authorized to accept delivery of intermediate shapes pursuant to Copper Order M-9 as amended.
Brass (see Copper).				Electrical resistance material.* Type A (80-20).	No**	No**	*Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat.
Brass mill and wire mill products (see Copper).				Inconel (see Nickel).			**May only be sold pursuant to authorization on Form WPB-1319.
Bronze (see Copper).				Monel (see Nickel).			
Cadmium:				Nickel (new and used):	No	WOP	
Cadmium* (new and used).	No	WOP**	*Includes metallic cadmium in all forms, residues, dross and other cadmium bearing material.	Nickel pig, ingot, cathode, pellet, shot and anode.	PR-AA5	WOP	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals).				Other nickel* (including monel and inconel).			
Chromium.	No	No	*Includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.	Chemicals (see Chemicals).			
Copper*.			*Sales of copper and copper base alloy materials as scrap are governed by Order M-9.	Platinum:	WOP*	WOP	*May not be used for jewelry.
In controlled material form (new and used)†.			†A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in paragraph (c) (2) (iv) of this regulation) does not exceed \$25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.	Solder*.	WOP	WOP	*Certification required (see Schedule II, M-43).
				Steel, alloy and carbon (including wrought iron)*.			*Pursuant to paragraph (c) (2) (iv), a holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him does not exceed \$25.00 in value. "Item" means steel or
Brass mill products.	No*	WOP*	*Only to fill orders under paragraph (c) (2) (v) and (vi) of this regulation.				

## LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
<b>PART I—METALS, ETC.—continued</b>				<b>PART II—CHEMICALS, ETC.—continued</b>			
Steel, alloy and carbon, etc.—Continued.			Iron which is identical in form, shape, rolling treatment (hot rolled or cold finished) chemistry, specifications, finish and size. **Sales as scrap are governed by the following applicable orders: M-21, M-24-b.	Allocated Chemicals—Con. Acids—Continued.			
In Controlled material form:				Naphthalene.....	WOP**	WOP.....	
Alloy steel castings.....	WOP.....	WOP.....		Nicotinic.....	WOP**	WOP.....	
Axles (railway).....	WOP.....	WOP.....		Phosphoric (by-product) Sulfuric.....	WOP**	WOP.....	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	WOP.....	WOP.....		Alcohols:			
Sheet piling.....	WOP.....	WOP.....		Butyl.....	WOP**	WOP.....	*Includes isobutyl, secondary butyl and tertiary butyl.
Tin plate,terne plate, and tin mill black plate.	WOP.....	WOP.....		Ethyl.....	WOP**	WOP.....	
				Hexahydric alcohols:			
				d-Sorbitol.....	WOP**	WOP.....	
				Technical grade:			
				d-Sorbitol.....	WOP**	WOP.....	
				Mannitol-crytalline.....	WOP**	WOP.....	
				Higher Aliphatic Alcohols:			
				Capryl.....	WOP**	WOP.....	*Also called methyl hexy carbinol or 2-Octanol.
				Normal octanol.....	WOP**	WOP.....	
				Normal decanol.....	WOP**	WOP.....	
				Lauryl alcohol.....	WOP**	WOP.....	
				Mixed aliphatic alcohols.....	WOP**	WOP.....	
				Octanol.....	WOP**	WOP.....	
				2-Ethyl hexanol.....	WOP**	WOP.....	
				Isopropyl.....	WOP**	WOP.....	
				Methyl (methanol).....	WOP**	WOP.....	
				Alkanolamines.....	WOP**	WOP.....	
				Allyl Alcohol.....	WOP**	WOP.....	
				Allyl Chloride.....	WOP**	WOP.....	
				Aluminum hydride.....	WOP**	WOP.....	
				Aluminum chloride anhydrous.....	WOP**	WOP.....	
				Ammonia:			
				By-product ammonia.....	WOP**	WOP.....	*Including salts and solutions.
				Sulphate of ammonia.....	WOP**	WOP.....	*Containing 20% nitrogen oxide.
				Synthetic ammonia.....	WOP**	WOP.....	*Including salts and solutions.
				Ammonium chloride.....	WOP**	WOP.....	
				Aniline, aniline oil.....	WOP**	WOP.....	
				Aromatic solvents.....	WOP**	WOP.....	*Holder must notify purchaser whether class A or B solvent as defined in Order M-148.
				Barbaco resin.....	WOP**	WOP.....	
				Barium carbonate.....	WOP**	WOP.....	
				Barium chloride.....	WOP**	WOP.....	
				Benzaldehyde.....	WOP**	WOP.....	
				Benzene.....	WOP**	WOP.....	
				Benzene containing oils.....	WOP**	WOP.....	
				Beryllium chemicals.....	WOP**	WOP.....	
				Butadiene.....	WOP**	WOP.....	
				2-Butanol.....	WOP**	WOP.....	
				Butyl phthalyl butyl glycolate.....	WOP**	WOP.....	
				Cadmium pigment.....	WOP**	WOP.....	
				Caffeine.....	WOP**	WOP.....	
				Calcium carbide.....	WOP**	WOP.....	
				Calcium hypochlorite, high test.....	No.....	WOP.....	*Available chlorine content 65% or more by weight.
				Calcium metal.....	WOP**	WOP.....	
				Other forms.....	WOP**	WOP.....	
				Carbonates, containing 10% or more of phenols (see Phenols).....	WOP**	WOP.....	
				Carbon black.....	WOP**	WOP.....	
				Carbon tetrachloride.....	No.....	WOP.....	
				Castor oil phthalate.....	WOP**	WOP.....	
				Castor oil phthalate hydroxy.....	WOP**	WOP.....	
				Charcoal.....	WOP**	WOP.....	
				Chlorate and perchlorate chemicals.....	WOP**	WOP.....	*Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates, perchloric acid, and any other chlorate or perchlorate chemical.
				Chloride of lime.....	WOP**	WOP.....	*Calcium hypochlorite with available chlorine content of from 22 to 65% weight.
				Chlorine.....	WOP**	WOP.....	
				Chlorinated hydrocarbon solvents.....	WOP**	WOP.....	
Acetone.....	WOP**	WOP.....					
Acetylene black.....	WOP**	WOP.....					
Acids:							
Acetic.....	WOP**	WOP.....					
Adipic.....	WOP**	WOP.....					
Anhydrous hydrofluoric.....	WOP**	WOP.....					
Arsenious.....	WOP**	WOP.....					
Citric.....	WOP**	WOP.....					
Lactic.....	WOP**	WOP.....					
Maleic.....	WOP**	WOP.....					

## LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WFB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WFB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
PART II—CHEMICALS—CON.				PART II—CHEMICALS—CON.			
Chlorinated Rubber (see Rubber, Part IV).				Nickel chemicals (salts, oxides and carbonates).	WOP**	WOP	
Chromo pigments:				Nitrogen compounds.	WOP**	WOP	
Class A*.....	WOP**	WOP	*Class A products, subject to quota (see M-370).	Oleum.	WOP**	WOP	
Class B.....	WOP**	WOP	**The buyer must make application on Form WPB-2945 or by letter to the Chemicals Bureau, WFB, Washington, D. C., for permission to use the particular chemical acquired under this regulation unless the buyers' aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.	Oxidized petrolatum.	WOP**	WOP	
Chromium Chemicals:				Paraformaldehyde.	WOP**	WOP	
Ammonium bichromate.	WOP**	WOP		Pentaerythritol.	WOP**	WOP	
Chromic acid.	WOP**	WOP		Perchlorate chemicals.	WOP**	WOP	
Sodium bichromate.	WOP**	WOP		Perchloroethylene.	No	WOP	
Sodium chromate.	WOP**	WOP		Perchloric acid.	WOP**	WOP	
Potassium bichromate.	WOP**	WOP		Phenols*.	WOP**	WOP	*Includes: phenols, cresols, and Xylenols, substituted phenols, tar acid oil, carbolates and mixtures thereof.
Potassium chromate.	WOP**	WOP					
Chromium tanning compounds.	WOP**	WOP		Phosphorus (yellow and white).	WOP**	WOP	
Cobalt oxide.	WOP**	WOP		Phthalic anhydride.	WOP**	WOP	
Copper carbonate.	WOP**	WOP		Pine oil.	WOP**	WOP	
Copper chloride.	WOP**	WOP		Pine tar.	WOP**	WOP	
Copper cyanide.	WOP**	WOP		Plasticizers:			
Copper oxide (except cuprous oxide).	WOP**	WOP		Phosphate.	WOP**	WOP	
Copper sulphate.	WOP**	WOP		Phthalate.	WOP**	WOP	
Cotton pulp, chemical.	WOP**	WOP		Potash*.	WOP**	WOP	*Includes muriate of potash, sulphate of potash-magnesia and run-of-the-mine potash.
Cresols: ortho, meta, and para.	WOP**	WOP					
Cuprous oxide.	WOP**	WOP		Potassium carbonate.	WOP**	WOP	
Cyanamid.	WOP**	WOP		Potassium tantalum fluoride.	WOP**	WOP	
DDT.	WOP**	WOP		Pyrethrum.	WOP**	WOP	
Diacetone.	WOP**	WOP		Pyridine.	WOP**	WOP	
Diamyl phthalate.	WOP**	WOP		Pyronate.	WOP**	WOP	
Di-butoxy ethyl phthalate.	WOP**	WOP		Rhodium chemicals.	WOP**	WOP	
Dibutyl phthalate.	WOP**	WOP		Rotenone.	WOP**	WOP	
Dicapryl phthalate.	WOP**	WOP		Rubber, synthetic (see Rubber, Part IV).			
Dichlorodifluoromethane.	WOP**	WOP		Sodium cyanide.	WOP**	WOP	
Dicyandiamide.	WOP**	WOP		Sodium metallic.	No	WOP	
Di-cyclohexyl phthalate.	WOP**	WOP		Sodium nitrate.	WOP**	WOP	
Diethanolamine.	WOP**	WOP		Sodium perborate.	WOP**	WOP	
Diethyl ethanolamine.	WOP**	WOP		Sodium phosphate.	WOP**	WOP	
Diethyl phthalate.	WOP**	WOP		Stabilized rosin.	WOP**	WOP	
Di-2-ethyl hexyl phthalate.	WOP**	WOP		Tin chemicals.	WOP**	WOP	
Di-ethoxy ethyl phthalate.	WOP**	WOP		Toluene (toluol).	WOP**	WOP	
Di-methyl cyclohexyl phthalate.	WOP**	WOP		Tributylglycerol triphthalate.	WOP**	WOP	
Dimethyl amines.	WOP**	WOP		Trichlorethylene.	No	WOP	
Dimethyl phthalate.	WOP**	WOP		Tungsten chemicals.	WOP**	WOP	
Dipentene.	WOP**	WOP		Ultramarine blue.	WOP**	WOP	
Diphenylamine*.	WOB**	WOB	*Also called phenylaniline.	Uranium chemicals.	WOP	WOP	
Dye stuffs and organic pigments.	WOP**	WOP		Vanadium chemicals.	WOP	WOP	
E. W. naphtha.	WOP**	WOP		Xylenols.	WOP**	WOP	
Ethyl acetate.	WOP**	WOP		Xylol.	WOP**	WOP	
Ethyl phthalyl ethyl glycolate.	WOP**	WOP		Zinc oxide.	WOP	WOP	
Ferro-Ferri-Cyanides:				PLASTICS, ADHESIVES, AND SYNTHETIC RESINS:			
Sodium Ferro-cyanide.	WOP**	WOP		Acrylic Monomers and Acrylic Resins:			
Potassium Ferro-cyanide.	WOP**	WOP		Cast sheet—std. szs*.	WOP**	WOP	*Aircraft manufacturers need not apply for permission to use.
Potassium Ferro-cyanide.	WOP**	WOP		Cast sheet—odd szs.	WOP**	WOP	
Potassium-Sodium-ferri-cyanide.	WOP**	WOP		Molding sheet.	WOP**	WOP	**The buyer must make application on Form WPB-2945 or by letter to the Chemicals Bureau, WFB, Washington, D. C., for permission to use the particular plastics, adhesives or synthetic resins acquired under this regulation unless the buyers' aggregate purchases are equal to or less than the small order exemption for the particular plastic, adhesive or synthetic resin as described in the applicable order.
Formaldehyde.	WOP**	WOP		Molding powder.	WOP**	WOP	
Furfural.	WOP**	WOP		Cast shapes.	WOP**	WOP	
Gasoline Gum Inhibitors.	WOP**	WOP		Tube.	WOP**	WOP	
Glycols:				Rod.	WOP**	WOP	
Ethylene glycol.	WOP**	WOP		Solution.	WOP**	WOP	
Triethylene glycol.	WOP**	WOP		Emulsion.	WOP**	WOP	
Mixed glycols.	WOP**	WOP		Monomer.	WOP**	WOP	
Glycol ethers:				Granular polymers.	WOP**	WOP	
Monobutyl ether of ethylene glycol.	WOP**	WOP					
Monomethyl ether of ethylene glycol.	WOP**	WOP					
Monooethyl ether of ethylene glycol.	WOP**	WOP					
Monooethyl ether of diethylene glycol.	WOP**	WOP					
Guanidine.	WOP**	WOP					
Hexamethylenetetramine.	WOP**	WOP					
Hydrogen peroxide.	WOP**	WOP					
Isobutyl ester oil phthalate.	WOP**	WOP					
Isopropyl acetate.	WOP**	WOP					
Lacquer, lacquer thinners, (see protective coatings).							
Maleic anhydride.	WOP**	WOP					
Methanol.	WOP**	WOP					
Methyl ethyl ketone.	WOP**	WOP					
Methyl isobutyl ketone.	WOP**	WOP					
Methyl phthalyl ethyl glycolate.	WOP**	WOP					
Monochlorodifluoromethane.	WOP**	WOP					
Monooethanolamine.	WOP**	WOP					
Monomethyl amines.	WOP**	WOP					
Naphthalene.	WOP**	WOP					
Naphthenates.	WOP**	WOP					
Naphtha, high flash.	WOP**	WOP					
				Cellulose acetate:			
				Sheet, rod and tube*.	WOP**	WOP	In primary unfabricated forms.
				Molding powder <sup>1</sup> .	WOP**	WOP	
				Cellulose acetate butyrate:			
				Sheet, rod and tube*.	WOP**	WOP	In primary unfabricated forms.
				Molding powder <sup>1</sup> .	WOP**	X	
				Cellulose ester flake.	WOP**	WOP	
				Dichlorostyrene.	WOP**	WOP	



This list refers only to new materials or products unless the work "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)
<b>PART II—CHEMICALS—CON.</b>			
Plastics, Etc.—Continued.	WOP**	No	
Ethyl cellulose	WOP**	WOP	
Glue, hide, and extracted green bone. <sup>1</sup>	WOP**	WOP	
Laminated plastics	WOP**	WOP	
Melamine molding compounds. <sup>1</sup>	WOP**	X	
Melamine resins	WOP**	WOP	
Nitro-cellulose	WOP**	WOP	
Phenolic molding compounds. <sup>1</sup>	WOP**	X	
Phenolic resins <sup>1</sup>	WOP**	X	
Phthalic alkyd resins	No	WOP	
Polydichlorostyrene	WOP**	WOP	
Polyethylene	WOP**	X	
Polystyrene	WOP**	X	
Tapioca <sup>1</sup>	WOP**	WOP	
Urea molding compounds <sup>1</sup>	WOP**	X	
Urea resins	WOP**	WOP	
Vinyl polymers	WOP**	X	
Vulcanized fibre, sheet	WOP**	X	
Vulcanized fibre, tube	WOP**	X	
<b>PROTECTIVE COATINGS:</b>			
Paint, varnish, enamel, lacquer, dope, lacquer or dope thinner, paint or varnish remover, and stain containing any of the ingredients listed in Column 4.**	WOP*	WOP	*The buyer must make application by letter in duplicate to the Chemicals Bureau, WPB, Washington 25, D. C., REF: M-382 for permission to use the particular critical protective coating acquired under this regulation, unless the buyer's aggregate purchases are not in excess of 275 gallons monthly (aggregate all types) or unless it is to be used for the same use for which the item was originally acquired by the holder.
			**Acetone or diacetone, benzol butyl alcohols or butyl acetates, cadmium pigments, chromium oxide pigment, cuprous oxide pigment, zinc chromate pigment, ethyl or isopropyl acetates, ethyl cellulose, E. W. naphtha, isopropyl alcohol, methyl isobutyl ketone, methyl ethyl ketone, paraffin or butyl phenol resins, phosphate plasticizers, phthalic plasticizers, phthalic alkyd resins, toluene, vinyl polymers, and xylene.
Paints, other	WOP	WOP	
<b>PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS</b>			
NOTE: Part III revised Jan. 31, 1945.			
These restrictions do not apply, if the material was acquired without a priority rating or authorization from the War Production Board.			
Cattlehides, calf and kip skins (raw).*	No	WOP	*This includes the whole skins or portions thereof other than splits or glue stocks.
Cordage (see Rope).	No	WOP	
Cotton Linters* (chemical grade).	No	WOP	*Produced after July 31, 1943.
Equipment: Military luggage and sleeping bags.	No	No	*May be sold to Defense Supplies Corp. without authorization.
Fabrics: (Woven, felted, knitted and braided):	No	No	*May be sold to the Army or Navy. If a particular item is rejected in writing by both the Army and Navy, it may be sold without specific authorization.
Burlap	No	No	
Cotton (except Duck)	No	No	
Cotton Duck (Width 15" or wider).	No	No	
Elastic (Synthetic rubber)	No	No	
<b>PART III—TEXTILE—CON.</b>			
Fabrics—Continued.	No	No	
Nylon	No	No	
Rayon	No	No	
Silk	No	No	
Wool	No	No	
Blends of the foregoing.	No	No	
Feathers, waterfowl.	No	No	
Fibers:	No	No	
Cordage fibers:	No	No	
Manila, manila, lute, hemp, raffia, jute, coir, and other fibers suitable for cordage.	No	No	
Textile fibers:	No	No	
Cotton	No	No	
Jute	No	No	
Nylon	No	No	
Rayon	No	No	
Silk	No	No	
Wool	No	No	
Blends of the foregoing.	No	No	
Korah	No	No	
Leather (including any military specifications). Includes leather made from cattleshides, calf, kipskins, horsehide, goats, prachins, cabretta and deer skins.	No	No	
Materials obtained under Conservation Orders M-383B, M-387, M-317A and M-317D.	No	No	
Rope*	No	No	
Silk	No	No	
Raw	No	No	
Waste wool, etc.	WOP	WOP	
Springs, machine and hand.	No	No	
Tanning material, vegetable.	No	No	
Yarns and threads:	No	No	
Cotton	No	No	
Jute	No	No	
Nylon	No	No	
Rayon	No	No	
Silk	No	No	
Synthetic rubber	No	No	
Wool	No	No	
Blends of the foregoing.	No	No	
<b>PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS</b>			
NOTE: Part IV added Jan. 31, 1945.			
Graphite, electrode grades.	No	No	
Lacquer, lacquer thinners (see Protective Coatings, Part II).	No	No	
Logs (see Woods).	No	No	
Paints (see Protective Coatings, Part II).	No	No	
Plywood (see Woods).	No	No	
Rubber:	No	No	
Latex and crude	No	No	
Compounded latex	No	No	
Chlorinated I.	No	WOP	
Butyl	No	No	
Polybutadiene	No	No	
Rubber products:	No	No	
Concentrated	WOP	WOP	
Elastic thread—see Part III.	No	No	
Elastic fabric—see Part III.	No	No	
Yarn—see Part III.	No	No	
Other products:	No	No	
Screen cloth, insect mesh.	WOP	WOP	
Weed pulp.	AA-2X	AA-2X	
Woods:	No	No	
Lumber:	No	No	
Hardwoods except mahogany.	PR-AA5**	WOP	
Mahogany:	No	No	
Wormy grades (not termite).	PR-AAL	WOP	

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
PART IV—MISCELLANEOUS—continued				PART V—MACHINERY, ETC.—continued			
Woods—Continued.				Bearings, anti-friction, including the following component parts: inner and outer races, alloy steel balls, and balls and rollers assembled in retainers.	No <sup>1</sup> .....	No <sup>2</sup> .....	<sup>1</sup> Sales of excess bearings are limited to the following:
Lumber—Continued.			paragraph (q) (2) of that order.				1. To any producer of bearings, but not to a reprocessor unless the sale is specifically authorized by the War Production Board; or
Mahogany—Con.	WOP.....	WOP.....					2. To the original supplier; or
Other grades.....							3. On any AAA order; or
Plywood.....							4. On any AA-5 or higher rated order placed directly by the Army, the Navy, the Maritime Commission or the War Shipping Administration, or directly by any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or
Softwood.....	PR-AA2X.....	WOP.....	***Buyers must give certificate stated in paragraph (e) and distributors must give certificate stated in paragraph (f) of Dir. 2A to Order L-335 which is in addition to the regular certificate required by that order.				5. If the holder has been unable to dispose of the bearings to the producer on a mutually satisfactory basis, the holder may sell them on any order rated AA-5 or higher regardless of order's source.
Softwood lumber (except Western Pine).	PR-AA5*.....	WOP.....					6. If the quantity to be sold in any month costs less than \$250, they may be sold on any order rated AA-5 or higher regardless of order's source; or
Western Pine***.....							7. Specified sales authorized by the War Production Board.
PART V—MACHINERY, EQUIPMENT AND COMPONENTS				Containers: V-boxes (corrugated and solid fibre).	WOP <sup>4</sup> .....	WOP.....	<sup>4</sup> A holder may only sell to a user who requires V-boxes to fill an order for the military or Land Leases specifying such boxes.
NOTE: Part V formerly Part IV redesignated and amended Jan. 31, 1945.				Compressed gas cylinders.	PR-AA5 <sup>4</sup> .....	PR-AA5.....	<sup>5</sup> Liquefied Petroleum gas cylinders may be sold only if prior authorization is obtained from PAW for the installation of the pet. gas equipment under the terms of General Limitation Order L-380.
Automotive Equipment: <sup>1</sup>			<sup>1</sup> May be sold as scrap when authorized by Automotive Division, War Production Board.	Tin cans (used)*.....	WOP.....	WOP.....	<sup>6</sup> Sales as scrap governed by M-327.
Axles.....	WOP.....	WOP.....		Diamond dies (small)*.....	No.....	No.....	<sup>7</sup> With hole diameter of 0.0015 and smaller.
Brakes.....	WOP.....	WOP.....		Electronic parts and equipment*.			<sup>8</sup> Rejected components. Special sales of components on this list (except test equipment) which have been rejected after inspection for failure to meet military specifications may be made without restriction, provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any persons making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with paragraph (c) of this regulation.
Clutches.....	WOP.....	WOP.....					
Propeller shafts.....	WOP.....	WOP.....					
Rims.....	WOP.....	WOP.....					
Transfer cases.....	WOP.....	WOP.....					
Transmissions.....	WOP.....	WOP.....					
Wheels.....	WOP.....	WOP.....					
Engines:							
Air-cooled gasoline engines (except aircraft propulsion).	WOP.....	WOP.....					
Diesel and gas (not gasoline) (non-marine only) over 750 revolutions per minute.	WOP.....	WOP.....					
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP.....	WOP.....					
Internal combustion engine components except those used on aircraft propulsion engines.	WOP.....	WOP.....					
Cams, shafts, finished.....	WOP.....	WOP.....					
Carburetors, gasoline.....	WOP.....	WOP.....					
Connecting rods, internal combustion engine.	WOP.....	WOP.....					
Crankshafts: finished drop-forged crankshafts for internal combustion engines and finished cast crankshafts for internal combustion engines of 750 revolutions per minute and up.	WOP.....	WOP.....					
Electric starting motors engine mounted only.	WOP.....	WOP.....					
Exhaust and intake valves and seats, internal combustion engine.	WOP.....	WOP.....					
Friction bearings, excluding lineshaft, pillow block vertical step, water lubricated ship stern, tube, strut, rudder shaft or railroad type.	WOP.....	WOP.....					
Fuel injection equipment.	WOP.....	WOP.....					
Generators, internal combustion engine mounted.	WOP.....	WOP.....					
Magnetic starting switches internal combustion engine.	WOP.....	WOP.....					
Magnetos.....	WOP.....	WOP.....					
Mechanical governors.	WOP.....	WOP.....					
Piston rings.....	WOP.....	WOP.....					
Radiators.....	WOP.....	WOP.....					
Voltage regulators, internal combustion engine.	WOP.....	WOP.....					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF MATERIALS AND PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (3) OF THIS REGULATION—Continued

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold in accordance with paragraph (c) (1). This list does not apply to special sales for export. These are covered by List B.

Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks	Materials or products	Persons buying for uses permitted by WPB orders and regulations	Wholesalers or retailers regularly dealing in the materials or products in the form held by the holder	Remarks
(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)
<b>PART V—MACHINERY, ETC.—continued</b>				<b>PART V—MACHINERY, ETC.—continued</b>			
Electronic parts etc.—con.				Engines, etc.—Continued.	No <sup>11</sup>	No <sup>11</sup>	pletion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher. Otherwise may be sold only on WPB authorization using WPB Form 1219.
Electronic equipments	PR-AA5	PR-AA5					
Capacitors (fixed):							
Metallic Case paper Dielectric	PR-AA5	PR-AA5					
Molded Case paper:							
Dielectric	PR-AA5	PR-AA5					
Electrolytic	PR-AA5	PR-AA5					
Ceramic Tubular	PR-AA5	PR-AA5					
Gas Filled and vacuum	PR-AA5	PR-AA5					
Coaxial cable	PR-AA5	PR-AA5					
Instruments, electrical indicating, combat type. <sup>1</sup>	PR-AA5	PR-AA5	<sup>1</sup> Except fire control equipment, and navigation instruments.	Mining equipment and machinery <sup>12</sup> (new and used).	No	No	<sup>11</sup> May be sold on WPB authorization using form WPB-1219.
Loudspeakers, PM Type.	PR-AA5	PR-AA5					
Relays	PR-AA5	PR-AA5					
Resistors (fixed):							
Composition Insulated	PR-AA5	PR-AA5					
Wirewound	PR-AA5	PR-AA5					
Variable (resistors)	PR-AA5	PR-AA5					
Shockmounts	PR-AA5	PR-AA5					
Switch:							
Selector	PR-AA5	PR-AA5					
Test equipment (new and used). <sup>1</sup>	No	No	<sup>1</sup> Includes all items of standard electrical and electronic test equipment.	Paper mill machinery (new and used).	No <sup>11</sup>	WOP	<sup>11</sup> May be sold only on WPB authorization on Form WPB-1219.
Transformers and Reactors. <sup>10</sup>	PR-AA5	PR-AA5	<sup>10</sup> Radio and Radar including coils and chokes other than R. F. and I. F.	Refrigerators, domestic mechanical. <sup>11</sup>	No <sup>11</sup>	No <sup>11</sup>	<sup>11</sup> May be sold freely to fill contracts or purchase orders for delivery to or for the account of the U. S. Maritime Commission or the War Shipping Administration for shipboard use only, otherwise WPB Form 837 is required.
Tubes (Radio and Radar):							
Restricted tubes <sup>11</sup> :	No	No	<sup>11</sup> May not be sold to tube reproducers except on specific authorization from the WPB.				
3A5-6AJ5-6AK5-6AG7-6AG5-5R4GY-6B4G-6SL7GT-							
6SN7GT-12SN7GT-3E29							
359A-388A-527-5J30/550							
700A-D-730A-827B-829B							
833A-870A-889E-8S0-893R							
893A/823-931A-955-1620							
1629-9004							
Other Tubes. <sup>11</sup>							
JAN Inspected	PR-AA1	PR-AA1					
ARMY Inspected	PR-AA3	PR-AA3					
NAVY Inspected	PR-AA3	PR-AA3					
Tubes not inspected	PR-AA5	PR-AA5					
Vibrators <sup>12</sup>	PR-AA5	PR-AA5	<sup>12</sup> A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.	Trucks, industrial power (new and used).	No <sup>11</sup>	WOP	<sup>12</sup> Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Admin. or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1219).
Engines, marine Diesel	No <sup>11</sup>	No <sup>11</sup>	<sup>11</sup> Does not apply to the sale, exchange or other transfer of marine Diesel engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the com-				

## LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT

NOTE: List B amended Jan. 31, 1945.

This list refers only to new materials or products unless the word "used" is specifically mentioned. Materials or products not on this list may be sold for export in accordance with paragraph (c) (7) (i).

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)	Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
<b>PART I—METALS AND METALLIC ORES</b>			<b>PART II—CHEMICALS, ETC.—continued</b>		
Aluminum: In controlled material form.....	No*	*Only to fill orders under paragraph (c) (2) (v) of this regulation or upon specific authorization of the WPB pursuant to paragraph (c) (7) (ii) of this regulation.	<b>ALLOCATED CHEMICALS—continued.</b> <b>Alcohols—Continued.</b> Ethyl.....	No**	
Babbitt and tin bearing alloys: Containing 12% or less tin by weight.	No*	*No authorization required if the special sale does not exceed 1,000 lbs. for one shipment.	Hexanhydric alcohols: d-Sorbitol.....	No**	
Containing more than 12% tin by weight.	No		Mannitol-crystalline.....	No**	
Beryllium.....	No		Higher Aliphatic Alcohols: Capryl*.....	No**	*Also called methyl hexylcarbinol or 2-Octanol.
Bismuth.....	No		Normal octanol.....	No**	
Cadmium.....	No		Normal decanol.....	No**	
Chromium.....	No		Lauryl alcohol.....	No**	
Copper: In controlled material form (new and used):	No		Mixed aliphatic alcohols.....	No**	
Brass mill products.....	No*	*Only to fill orders under paragraph (c) (2) (v) of this regulation or upon specific authorization of the WPB pursuant to paragraph (c) (7) (ii) of this regulation.	Octanol.....	No**	
Copper wire mill products (bare and insulated).	No*		2-ethyl hexanol.....	No**	
Foundry copper or copper base alloy products.	No*		Isopropyl.....	No**	
Not in controlled material form (new and used):	No		Methyl (methanol).....	No**	
Copper raw materials (Ref. shapes and Cu. and Cu. base alloy ingots and Cu. and Cu. base alloy scrap).	No		Alkanolamines.....	No**	
Semifabricated or fabricated unassembled parts or products etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper).	PR-AA5		Allyl alcohol.....	No**	
Electrical resistance material (type A (89-20).	No*	*May only be sold pursuant to authorization on form WPB-1319.	Allyl chloride.....	No**	
Inconel metal.....	No		Aluminum hydrate.....	No**	
Monel metal.....	No		Aluminum chloride, anhydrous.....	No**	
Nickel and its compounds.....	No		Ammonia: By-product ammonia*.....	No**	*Including salts and solutions.
Platinum.....	No		Sulphate of ammonia*.....	No**	*Containing 20.5% nitrogen or less.
Solder—containing 30% or less tin content by weight.	No*	*No authorization required if the special sale does not exceed 1,000 lbs. for one shipment.	Synthetic ammonia*.....	No**	*Including salts and solutions.
Containing more than 30% tin by weight.	No		Ammonium silicofluoride.....	No**	
Steel: Galvanized sheets.....	No*	*Only to fill orders under paragraph (c) (2) (v) of this regulation or upon specific authorization of the WPB pursuant to paragraph (c) (7) (ii) of this regulation.	Aniline, aniline oil.....	No**	**The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.
Nickel alloys.....	No*		Aromatic solvents*.....	No**	*Holder must notify purchaser whether Class A or B solvent or blend as defined in Order M-160.
Stainless steel.....	No*		Barbasco root.....	No**	
Tinplate.....	No*		Barium carbonate.....	No**	
Wire rope.....	No*		Barium chloride.....	No**	
Tin.....	No		Benzaldehyde.....	No**	
Uranium.....	No		Benzene.....	No**	
Welding rods and electrodes.....	PR-AA5		Benzene containing oils.....	No**	
<b>PART II—CHEMICALS, CHEMICALS LISTED HEREIN WHEN SOLD UNDER TRADE NAMES MAY BE SOLD AS PROVIDED FOR THE PARTICULAR CHEMICAL</b>			Beryllium chemicals.....	No**	
<b>ALLOCATED CHEMICALS:</b>			Butadiene.....	No**	
Acetaldehyde.....	No**	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2945 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.	2-butanol.....	No**	
Acetic anhydride*.....	No**	*Also called ethanoic anhydride, acetyl oxide and acetic oxide.	Butyl phthalyl butyl glycolate.....	No**	
Acetone.....	No**		Cadmium pigment.....	No	
Acetylene black.....	No**		Caffeine.....	No**	
Acids:			Calcium carbide.....	No**	
Acetic.....	No**		Calcium hypochlorite, high test*.....	No**	*Available chlorine content 65% or more by weight.
Adipic*.....	No**	*Includes all derivatives except nylon.	Calcium metal.....	No**	
Anhydrous hydrofluoric.....	No**		Other forms.....	No**	
Arsenious*.....	No**	*Also called arsenic trioxide and white arsenic.	Carbolates, containing 10% or more of phenols (see Phenols).	No**	
Citric.....	No**		Carbon black.....	No**	
Lactic.....	No**		Carbon tetrachloride.....	No**	
Maleic.....	No**		Castor oil phthalate.....	No**	
Naphthenic.....	No**		Castor oil phthalate hydrogenated.....	No**	
Nicotinic.....	No**		Charcoal.....	No**	
Phosphoric (by-product).....	No**		Chlorate and perchlorate chemicals*.....	No**	*Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates, perchloric acid, and any other chlorate or perchlorate chemical.
Sulfuric.....	No**		Chloride of lime*.....	No**	*Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Alcohols:			Chlorine.....	No**	
Butyl*.....	No**	*Includes isobutyl secondary butyl and tertiary butyl.	Chlorinated hydrocarbon solvents.....	No**	

## LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT—Continued

Materials or products	Persons buying for export or foreign purchasers	Remarks	Materials or products	Persons buying for export or foreign purchasers	Remarks
(1)	(2)	(3)	(1)	(2)	(3)
PART II—CHEMICALS, ETC.—continued			PART II—CHEMICALS, ETC.—continued		
ALLOCATED CHEMICALS—continued.			ALLOCATED CHEMICALS—continued.		
Copper chloride.....	No**		Potash*.....	No**	*Includes carbonate of potash, sulphate of potash, sulphate of potassium and run-of-the-mine potash.
Copper cyanide.....	No**		Potassium carbonate.....	No**	
Copper oxide.....	No**		Potassium tantalum fluoride.....	No**	
Copper sulphate.....	No**		Pyrethrum.....	No**	
Cotton pulp, chemical.....	No**		Pyridine.....	No**	
Cresols: ortho, meta and para.....	No**		Pyrazole.....	No**	
Cuprous oxide.....	No**		Radium chemicals.....	No**	
Cyanamid.....	No**		Rotenone.....	No**	
DDT.....	No**		Rubber, synthetic (see Rubber, Part III)	No**	
Diacetone.....	No**		Sodium cyanide.....	No**	
Diamyl phthalate.....	No**		Sodium metasilicate.....	No**	
Di-butory ethyl phthalate.....	No**		Sodium nitrate.....	No**	
Dibutyl phthalate.....	No**		Sodium perborate.....	No**	
Dichlorodifluoromethane.....	No**		Sodium phosphate.....	No**	
Dicyandiamide.....	No**		Stabilized resin.....	No**	
Di-cyclohexyl phthalate.....	No**		Tin chemicals.....	No**	
Diethanolamine.....	No**		Toluene (toluol).....	No**	
Diethyl phthalate.....	No**		Tributyl glycerol triphthalate.....	No**	
Di-2-ethyl hexyl phthalate.....	No**		Trichloroethylene.....	No**	
Di-ethoxy ethyl phthalate.....	No**		Tungsten chemicals.....	No**	
Di-methyleyclohexyl phthalate.....	No**		Ultramarine blue.....	No**	
Dimethyl amines.....	No**		Uranium chemicals.....	No**	
Dimethyl phthalate.....	No**		Vanadium chemicals.....	No**	
Dipentene.....	No**		Xylenols.....	No**	
Diphenylamine*.....	No**	*Also called phenylaniline.	Xylol.....	No**	
Dye-stuffs and organic pigments.....	No**				
E. W. naphtha.....	No**				
Ethyl acetate.....	No**				
Ethyl phthalyl ethyl glycolate.....	No**				
Ferro-Ferro-Cyanides:					
Sodium Ferro-cyanide.....	No**				
Potassium Ferro-cyanide.....	No**				
Potassium-Sodium-ferro-cyanide.....	No**				
Formaldehyde.....	No**				
Furfural.....	No**				
Gasoline Gum Inhibitors.....	No**				
Glycols:					
Ethylene glycol.....	No**				
Triethylene glycol.....	No**				
Mixed glycols.....	No**				
Glycol ethers:					
Monobutyl ether of ethylene glycol.....	No**				
Monomethyl ethyl of ethylene glycol.....	No**				
Monocethyl ether of ethylene glycol.....	No**				
Monoethyl ether of diethylene glycol.....	No**				
Guanidine.....	No**				
Hexamethylenetetramine.....	No**				
Hydrogen peroxide.....	No**				
Isobutyl castor oil phthalate.....	No**				
Isobutyl acetate.....	No**				
Lacquer, lacquer thinners (see protective coatings).....	No**				
Maleic anhydride.....	No**				
Methanol.....	No**				
Methyl ethyl ketone.....	No**				
Methyl isobutyl ketone.....	No**				
Methyl phthalyl ethyl glycolate.....	No**				
Monochlorodifluoromethane.....	No**				
Monoethanolamine.....	No**				
Monomethyl amines.....	No**				
Naphthalene.....	No**				
Napthenates.....	No**				
Naptha, high flash.....	No**				
Nickel chemicals (salts, oxides and carbonates).....	No**				
Nitrogen compounds.....	No**				
Oleum.....	No**				
Oxidized petrolatum.....	No**				
Paraformaldehyde.....	No**				
Pentaerythritol.....	No**				
Perchlorate chemicals.....	No**				
Perchloroethylene.....	No**				
Perchloric acid.....	No**				
Phenols*.....	No**	*Includes: phenols, cresols and xlenols, substituted phenols, tar acid oil, carbolates and mixtures thereof.			
Phosphorus (yellow and white).....	No**	*The holder may sell only to a buyer who has been authorized pursuant to application on Form WPB-2245 or by letter to the Chemicals Bureau to buy the particular chemical for export unless the buyer's aggregate purchases are equal to or less than the small order exemption for the particular chemical as described in the applicable order.			
Phthalic anhydride.....	No**				
Pine oil.....	No**				
Pine tar.....	No**				
Plasticizers:					
Phosphate.....	No**				
Phthalate.....	No**				



## LIST B—RESTRICTIONS ON SPECIAL SALES FOR EXPORT—Continued

Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)	Materials or products (1)	Persons buying for export or foreign purchasers (2)	Remarks (3)
<b>PART III—TEXTILE FIBERS, FABRICS, CLOTHING, LEATHER AND RELATED PRODUCTS</b>			<b>PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS—CON.</b>		
NOTE: Part III revised Jan. 31, 1945. These restrictions do not apply if the material was acquired without a priority rating or authorization from the War Production Board.			Screen cloth, insect, metal..... No.....		
Animal bristles and hair.....	PR-AA5---		Watches, jeweled and non-jeweled... No.....		
Clothing, footwear (including safety shoes), hats, gloves, and all other outer or under garments or apparel, if made in whole or part of leather or textile yarn, staple fiber or fabrics.....	PR-AA5---		Woods:		
Cordage (see Rope).....	No.....	*Produced after July 1, 1943.	Lumber:		
Cotton linters* (Chemical grade).....	PR-AA5---		Hardwoods, except mahogany..... PR-AA5**		**Buyers must give certificate stated in paragraph (q) (1) of Order L-335 assigned by F.I.A.
Dyestuffs (defined in Conservation Order M-103).....	No.....		Mahogany, wormy grades (pattern stock)..... PR-AA1---		
Equipage: Military luggage and sleeping bags.....	No.....		Plywood:		
Fabrics: (Woven, felted, knitted and braided):			Softwood..... PR-AA2X---		
Burlap..... No 1			Pressed wood (hardwood)..... PR-AA3---		
Cotton (except Duck)..... No 1			Softwood lumber, except Western pine..... PR-AA5**		
Cotton Duck (Width 15" or wider)..... No 1			Western pine***..... PR-AA5**		
Elastic (Synthetic rubber)..... No 1			Wood pulp..... No.....		
Nylon..... No.....			<b>PART V—MACHINERY, EQUIPMENT AND COMPONENTS</b>		
Rayon..... No.....			NOTE: Part V formerly Part IV redesignated and amended Jan. 31, 1945.		
Silk..... No.....			Air conditioning equipment (commercial and domestic)..... No.....		
Wool..... No 1			Bathtubs, cast iron, enameled..... No.....		
Blends of the foregoing..... No 1			Bearings:		
Feathers, waterfowl..... No.....			Anti-friction including the following component parts: Inner and outer races, alloy steel balls, and balls and rollers assembled in retainers..... No.....		
Fibers:			Jewel bearings..... No.....		
Cordage fibers: Manila, agave istle, hemp, raffia, jute, coir, and other fibers suitable for cordage..... No 1			Boilers:		
Textile fibers:			Cast iron heating..... AA-3.....		
Cotton..... No 1			Low pressure steel..... AA-3.....		
Jute..... No 1			Steel, high pressure (Table 14, M-293)..... AA-3.....		
Nylon..... No.....			Brass plumbing fixtures, fgs. and trim..... No.....		
Rayon..... No.....			Burners, oil, domestic..... AA-3.....		
Silk..... No.....			Clocks, alarm..... No.....		
Wool..... No 1			Convectors, cast iron..... AA-3.....		
Blends of the foregoing..... No 1			Construction machinery:		
Findings, metal shoe:			Angledozer, bulldozers and modifications thereof (for mounting on tractors of more than 25 drawbar H. P.)..... No.....		
Arch supports..... PR-AA5---			Cranes, attachments for tractor mounting..... No.....		
Box toes and caps..... PR-AA5---			Cranes, crawler and rubber-tired mounted power, and modifications thereof, except freight handling lift trucks..... No.....		
Heel rims and plates..... PR-AA5---			Crushers, jaw (sizes 9" x 14" to 30" x 44" openings, inclusive); except those sizes of a type designed exclusively for mining and smelting..... No.....		
Heel washers..... PR-AA5---			Crushers, roll, construction aggregates, portable type..... No.....		
Shoe shanks..... PR-AA5---			Crushing plants, portable type..... No.....		
Steel wire shoe nails..... PR-AA5---			Ditchers, ladder and wheel types..... No.....		
Toe rims and plates..... PR-AA5---			Diaglines, walking type (see cranes)..... No.....		
Hides, skins, furs and leather and products made primarily therefrom..... No.....			Dredges and dredge equipment, except mining..... No.....		
Kapok..... No.....			Drilling machines, portable water well and blast hole drills, churn drill type..... No.....		
Materials obtained under Conservation Orders M-328B, M-385, M-317, M-317A and M-317B..... No 1			Dryers, construction aggregates..... No.....		
Rope..... No.....			Earth boring machines, vertical auger type (except post hole diggers)..... No.....		
Silk (raw)..... No.....			Finishers, bituminous paving..... No.....		
Slide fasteners:			Graders, earth moving (motor, blade and elevating types)..... No.....		
Containing copper bearing material..... No 1			Heaters and circulators, tank car..... No.....		
Others..... PR-AA5---			Loaders, portable bucket (other than drag, flight or scraper type coal conveyors)..... No.....		
Sponges, marine and loofa..... No 1			Loaders, portable snow..... No.....		
Tacks, steel (except thumb tacks)..... PR-AA5---			Maintainers, road (complete machines)..... No.....		
Tanning material, vegetable..... No 1			Plants, asphalt, including travel mix type..... No.....		
Yarns and thread:			Plants, bituminous patch, hot or cold mix type (more than 10 tons per hour capacity)..... No.....		
Cotton..... No 1			Power control units, attachments for tractor mounting (both cable and hydraulic)..... No.....		
Jute..... No 1			Rollers, road (pneumatic tired, portable, tandem and three wheeled types)..... No.....		
Nylon..... No.....			Scrapers, carrying and hauling, both drawn and self-propelled (except those under 2 cubic yards struck capacity)..... No.....		
Rayon..... No.....					
Silk..... No.....					
Synthetic rubber..... No 1					
Wool..... No 1					
Blends of the foregoing..... No 1					
<b>PART IV—MISCELLANEOUS MATERIALS AND PRODUCTS</b>					
NOTE: Part IV added Jan. 31, 1945.					
Coarse paper, sanitary paper, container board and products therefrom.....	No.....				
Graphite, ceylon amorphous..... No*		*Application should be filed on Form WPB-623.			
Pipe, cast iron soil..... No.....					
Rubber:					
Natural rubber and latex..... No.....					
Reclaimed..... No.....					
Synthetic—all types..... No.....					
Rubber Products:					
Belt and belts—all types..... No.....					
Camelback and repair materials—all types..... No.....					
Footwear—all types..... No.....					
Heels and soles—all types..... No.....					
Hose—all types..... No.....					
Proofed goods and drug sundries—all types..... No.....					
Tires and tubes—all types..... No.....					
All other miscellaneous rubber goods..... No.....					

Materials or products	Persons buying for export or foreign purchasers	Remarks	Materials or products	Persons buying for export or foreign purchasers	Remarks
(1)	(2)	(3)	(1)	(2)	(3)
PART V—MACHINERY, EQUIPMENT AND COMPONENTS—continued			PART V—continued		
Construction machinery—Con.	No*		Electronic parts and equipment—Con.	No*	
Shovels, attachments for tractor mounting.	No*		Tubes (Radio and Radar):		
Shovels, crawler and rubber-tired mounted power, and modifications thereof.	No*		Restricted Tubes:		
Sweepers, motor pick-up, traction driven or engine driven.	No*		8A5-6A10-6A15-6AG7-6AG9,		
Winches, attachments for tractor mounting.	No*		6T4GY-6B4G-6SL7GT,		
Containers:			6SN7GT-12SN7GT-3E2Z,		
Corrugated and solid fibre shipping.	PR-AA5		6CA-6CA-6T-6U-6V-6W-6XA-		
Compressed gas cylinders.	PR-AA5		D7CA-82TR-82BA-82IA-82IA-		
Diamond dies (small)*	No	*With hole diameter of .0015 and smaller	89R-89G-89H, 89A/89B-		
Dishwashing machinery, commercial	No*	May be sold only on WPB authorization on Form WPB-1319.	63IA-63J-IC2D, IC2C-63FL		
Electronic parts and equipment*	PR-AA5	*Rejected components—Special sales of components on this list (except test equipment which have been rejected after inspection for failure to meet military specifications may be made without restriction provided that before such sales are made, any Army or Navy identifying marks or symbols have been defaced or removed from the components. Any person making a special sale of such components must secure and retain a written statement of Army or Navy inspectors that the components are military rejects and must maintain records of such sales in accordance with paragraph (c) of this regulation	Other Tubes:		
Electronic equipments			JAN Inspected.....	AA-1.....	
			ARMY Inspected.....	AA-3.....	
			NAVY Inspected.....	AA-3.....	
			Tubes not inspected.....	AA-3.....	
			Vibrators*	AA-3.....	*A device containing a mechanismally creating current which interrupts direct electrical current in Electronic Equipment.
			Engines, marine Diesel.....	No*	*Does not apply to the sale of marine Diesel engines purchased through Lease-Lease. Otherwise, may be sold only on WPB authorization using WPB Form 1319.
			Furnaces, cast iron and steel.....	AA-3.....	
			Hectors, water.....	AA-3.....	
			Heating equipment, extended surface, (Unit heater, convectors, and - Most cells).	AA-3.....	
			Laundry machinery, domestic.....	No.....	
			Lighting fixtures, electric.....	No.....	
			Mining equipment and machinery* (new and used).	No.....	*Any equipment or machinery (whether mining, construction, industrial or otherwise) as qualified by a special modification in P-Cover which was issued in, or held in connection with a governmental mine on the effective date, as defined in L-244, may be transferred only to a producer as defined in P-3 who holds a special number under P-35, or with the written permission of the War Production Board applied for by letter to the Mining Division, Washington, D. C.
Capacitors (fixed)			Paper mill machinery (new and used).	No*	*May be sold only on WPB authorization on Form WPB-1319.
Metallic Case Paper Dielectric.	PR-AA5		Radiators, cast iron.....	No.....	
Molded Case Paper Dielectric.	PR-AA5		Ranges, electric.....	No.....	
Electrolytic.....	PR-AA5		Refrigerators:		
Ceramic Tubular.....	PR-AA5		Commercial mechanical.....	No.....	
Gas Filled and Vacuum.....	PR-AA5		Domestic mechanical.....	No*	*Sold freely only to fill contracts or purchase orders for delivery to or for the account of U.S. Maritime Commission or the War Shipping Administration for chartered use only. Otherwise WPB-87 is required.
Coaxial cable.....	PR-AA5		Sewing machines.....	No.....	
Instruments, electrical indicating, combat type.	PR-AA5	*Except fire control equipment, and navigation instruments	Stokers (with fuel burning capacity less than 61 lb. per hour).	AA-3.....	
Loudspeakers PM type.....	PR-AA5		Stoves, domestic cooking and heating (except electric).	No.....	*May be sold only on WPB authorization on Form WPB-1319.
Relays.....	PR-AA5		Trucks, industrial power (new and used).	No*	*May be sold only on WPB authorization on Form WPB-1319.
Resistors (Fixed):			Vacuum cleaners (domestic).....	No.....	
Composition insulated.....	PR-AA5				
Wirewound.....	PR-AA5				
Variable (Resistors).....	PR-AA5				
Shockmounts.....	PR-AA5				
Switch:					
Selector.....	PR-AA5				
Test equipment (new and used)*	No.....	Includes all items of standard electrical and electronic test equipment.			
Transformers and reactors*	PR-AA5	*Radio and Radar including coils and chokes other than R. F. and I. F.			

It is hereby ordered, that: § 1010.624, *Suspension Order No. S-624* issued December 20, 1944 and effective December

30, 1944, is hereby stayed pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 30th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1841; Filed, Jan. 30, 1945;  
4:57 p. m.]

**PART 3175—REGULATIONS APPLICABLE TO  
THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 2, Inventory Dir. 21]

**THIRTY DAY INVENTORY ON ALUMINUM  
SHEET, STRIP, OR PLATE**

The following direction is issued pursuant to CMP Reg. 2:

§ 3175.121 Inventory Direction 21 to CMP Regulation 2. (a) Notwithstanding the provisions of CMP Regulation 2, paragraph (b) (1) no user shall accept delivery of any item of aluminum sheet, strip, or plate if his inventory of such item is, or will by virtue of such acceptance become, in excess of the quantity of such item he will be required by his current practices to put into use during the succeeding 30 days for production or construction in order to carry out his authorized operations.

(b) The exceptions in paragraph (c) of CMP Regulation 2 apply to deliveries of aluminum sheet, strip or plate under this direction.

(c) This direction does not apply to:

(1) Any person who will use less than 10,000 pounds of aluminum sheet, strip and plate in the calendar month in which delivery is accepted. The provisions of CMP Regulation 2, however, do apply.

(2) Aluminum sheet, strip or plate which, at the effective date of this direction, was in transit or loaded for shipment.

(3) Aluminum sheet, strip, or plate which is shipped by a producer (but not a warehouse) prior to March 1, 1945.

(d) Users must immediately cancel, reduce or defer any authorized controlled material order for aluminum sheet, strip, or plate which has been placed where the scheduled delivery would result in an inventory in excess of that permitted by this direction.

(e) No user may place any authorized controlled material order for aluminum sheet, strip or plate requesting delivery which would result in an inventory in excess of that permitted by this direction.

(f) *Appeals.* In the case of specified aircraft contractors listed on Schedule A of Directive 16, appeals should be routed through Aircraft Scheduling Unit, Dayton, Ohio, in the case of other prime contractors through their Claimant Agency, and other users may address appeals to the War Production Board, Washington, D. C., Ref: Inventory Direction 21, CMP Regulation 2.

(g) This direction is effective February 5, 1945.

Issued this 30th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1838; Filed, Jan. 30, 1945;  
4:57 p. m.]

**PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES**

[General Preference Order E-10, as Amended  
Jan. 31, 1945]

**ANTI-FRICTION BEARINGS**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.61 *General Preference Order E-10—(a) Definitions.* For the purpose of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Producer" means any person who is engaged in the manufacture of anti-friction bearings.

(3) "Anti-friction bearing" means any bearing employing as rolling elements balls of any size or rollers of any size or shape.

(4) "Production order" means

(i) Any purchase order or contract for one or more anti-friction bearings of any one size having a total purchase price of \$500 or more, or

(ii) Any purchase order or contract for more than five hundred anti-friction bearings of any one size.

(5) "Miscellaneous order" means any purchase order or contract for anti-friction bearings other than production orders: *Provided, however* That no person shall subdivide his purchase orders or contracts for anti-friction bearings for the purpose of coming within this definition.

(6) "Total quarterly production" means the total number of units of all types of anti-friction bearings to be manufactured by a producer in any given quarter.

(7) "Total monthly deliveries" means the total number of units of all types of anti-friction bearings to be delivered by a producer in any given month.

(8) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Scheduling of total quarterly production.* (1) Each producer shall schedule his total production for the four months period September, October, November and December 1943, and, beginning January 1, 1944, he shall schedule his total quarterly production of anti-friction bearings in such manner as to make available during such period or quarter 85% of his production for delivery against production orders and 15% of his production for delivery against miscellaneous orders: *Provided, however*, That these percentages allocated to production orders and miscellaneous orders, respectively, may be varied by any producer to the extent that he does not have enough unfilled purchase orders and estimated future orders reasonably anticipated to be received within the next ninety days to absorb one or the other of such percentage allocations.

(2) Notwithstanding the provisions of Priorities Regulation No. 1, any pro-

ducer who shall schedule the production of a given size of anti-friction bearings to fill an order or orders therefor, delivery of which is required during any given quarter, may schedule the production of additional bearings of such size either

(i) When necessary to bring the quantity scheduled to a minimum practicable production run, or

(ii) To meet orders therefor not yet actually received but reasonably to be anticipated within the next 90 days: *Provided, however* That in no event shall the additional quantity of bearings to be scheduled for production to meet such anticipated orders exceed the average quarterly quantity of such bearings sold by such producer during 1942.

(c) *General Scheduling Order M-293.* Anti-friction bearings now appear on Table 12 of General Scheduling Order M-293. Therefore, in addition to complying with the provisions of General Preference Order E-10, producers are subject to the provisions of General Scheduling Order M-293 including the requirement contained in that order that they file operations reports on Form WPB-1314.

(d) [Deleted Nov. 10, 1943]

(e) *Deletion and addition of purchase orders in schedules.* No producer who receives any instruction from any purchaser to withhold work on, or delivery under, any contract or purchase order for anti-friction bearings shall retain such contract or order in his schedule for more than ten days. Whenever any such contract or order has been deleted from such schedule, the producer shall immediately notify the purchaser of such action. No contract or order, which shall have been deleted from a producer's schedule pursuant to this paragraph (e), shall be reinstated in the same or any subsequent schedule for delivery on its original schedule delivery date. In the event the purchaser withdraws such instruction to withhold work on, or delivery under, any contract or purchase order, notice of such withdrawal may be treated by the producer as the placing of a new contract or purchase order for the same amount, type and size of anti-friction bearings as covered by the unfilled portion of the original contract or purchase order, and may be scheduled in the same way as a new contract or purchase order.

(f) *Allocation of deliveries against production orders and miscellaneous orders.* Each producer shall allocate 85% of his total monthly deliveries to production orders and 15% of his total monthly deliveries to miscellaneous orders: *Provided, however*, That the percentage of total monthly deliveries allocated to production orders and miscellaneous orders, respectively, by this paragraph (f), may be varied by any producer to the extent that such producer does not have sufficient unfilled purchase orders to absorb one or the other of such percentage allocations. The sequence of deliveries against production orders and miscellaneous orders within the respective percentage limitations on such deliveries imposed by this paragraph (f) shall be scheduled according to the terms of Priorities Regula-

tion No. 1 and other applicable regulations of the War Production Board: *Provided, however* That notwithstanding paragraph (d) of § 944.7 of Priorities Regulation No. 1, material specifically produced for an order for anti-friction bearings rated AA-5 or higher shall not be diverted and delivered under a higher rated order subsequently accepted if such material is completed at the time of the acceptance of the higher rated order or is in production and scheduled for completion within thirty days thereafter, unless such diversion is specifically directed by the War Production Board or unless the subsequently accepted order bears a rating of AAA.

(g) *Necessity for preference ratings.* No producer shall accept any purchase order for or make delivery of anti-friction bearings unless such order or delivery bears a preference rating of AA-5 or higher: *Provided*, That this restriction shall not apply to deliveries against purchase orders received prior to November 24, 1943 which bear a rating of A-10 or higher. Also, deliveries of anti-friction bearings produced in accordance with the provisions of Limitation Order L-158 or L-257 shall not be subject to this restriction.

(h) *Limitation on inventories.* No person shall accept delivery of any anti-friction bearings of any type and size if his inventory of such type and size of bearings is, or will, by virtue of such acceptance, become greater than the quantity of such item he will be required by his current practices to put into use during the succeeding sixty-day period for production, construction, operating supplies, or maintenance, or repair, or greater than a minimum practicable working inventory thereof, whichever is smaller; *Provided, however* That the deliveries of anti-friction bearings pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act)

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for anti-friction bearings required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Purchase orders placed by distributors for anti-friction bearings, which are intended to be used as replacement parts, as defined by paragraph (b) (1) of Limitation Order L-158: *Provided*, That in no event shall such distributor's inventory of such bearings exceed the quantities specified in paragraph (h) of Limitation Order L-158.

(4) Any other purchase order specifically excepted from this restriction by the War Production Board.

(i) *End use classification.* (1) No producer shall schedule any purchase order or contract received after June

1, 1943, for production or delivery unless it contains

(i) An endorsement placed thereon by the purchaser pursuant to CMP Regulation 5 or 5A, or pursuant to an order of the P or U series, assigning preference rating assistance to a particular industry for maintenance, repair or operating supplies, or

(ii) The purchaser's allotment number placed thereon by the purchaser pursuant to CMP Regulation No. 3, or

(iii) In the case of Lend-Lease purchase orders or contracts, a statement of the foreign country for which the anti-friction bearings are purchased, or

(iv) In the case of any other purchase order or contract, if no allotment number or symbol has been assigned, a statement of the product into which such bearings are intended to be incorporated, if known to the purchaser.

(2) Producers are not required to secure any identification of end use with respect to any order placed prior to June 1, 1943, but may be required to report the product into which such bearings are intended to be incorporated, if known to the producer.

(3) Except in the case of Lend-Lease orders, no producer shall schedule production or delivery of any contract or purchase order received after November 24, 1943 for more than one thousand anti-friction bearings unless it is accompanied by a statement of the percentage of such bearings, if any, which are spares; or if no spares are included in such a purchase order, the statement "No spares included." Spares are those bearings which the purchaser does not build into the end product being produced by him but which are delivered by such purchaser as extra bearings.

(i-1) *Restrictions on disposal of excess bearings.* Anti-friction bearings appear on Lists A and B of Priorities Regulation 13. That Regulation should be consulted to determine the conditions under which special sales of bearings may be made.

(j) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of anti-friction bearings or component parts thereof, allocate any order for anti-friction bearings or component parts thereof to any other producer of anti-friction bearings or component parts thereof, or direct the delivery of any anti-friction bearings or component parts thereof, to any other person in accordance with prices and terms regularly established for sales by the supplying producer to such a purchaser.

(k) *Applicability of other orders and regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or fur-

nishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(m) *Reports.* All producers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(o) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C. Ref: E-10.

Issued this 31st day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1879; Filed, Jan. 31, 1945;  
11:52 a. m.]

#### PART 3281—PULP AND PAPER

[General Conservation Order M-226 as  
Amended Jan. 31, 1945]

##### SPECIALTY PAPERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of specialty papers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3281.51 *General Conservation Order M-226—(a) Definitions.* For the purpose of this order:

(1) "Manufacturer" means any person engaged in the business of manufacturing any grade or type of paper listed in column 2 on List A.

(2) "Distributor" means any person engaged in the business of buying for resale or of ordering for the account of others any grade or type of paper listed in column 2 on List A.

(3) "Prohibited use" means, with respect to each grade or type of paper listed in column 2 on List A, the uses described for such grade or type of paper in column 3 on List A.

(4) "Grade or type of paper" designated in column 2 on List A includes all the sorts and varieties of paper commonly regarded by the trade as included within such designation.

(b) *Manufacturers' and distributors' obligation to examine orders.* From and after the respective dates shown in column 1 on List A for the various types of paper and uses listed in columns 2 and 3:

(1) No manufacturer or distributor shall accept any order for any grade or type of paper listed in column 2, or sell or deliver any such paper, if, by virtue of the identity of the person placing the order or the nature of his business (so far as known to the manufacturer or distributor) or the specifications of the order, or otherwise, the manufacturer or distributor knows or has reason to know that such paper will be used for any prohibited use, as specified for such paper in column 3.

(c) *Limitation on use of papers shown in column 2 on List A.* From and after the respective dates shown in column 1 on List A for the various types of paper and uses shown in columns 2 and 3 no person who accepts delivery of any grade or type of paper shown in column 2 shall use the same for any prohibited use, as specified for such grade or type of paper in column 3.

(d) *Exceptions.* (1) Notwithstanding the provisions of paragraphs (b) and (c) of this order any manufacturer or distributor may deliver, and any person may use, any quantity of any type or grade of paper shown in column 2 on List A (unless restricted in the use thereof by virtue of some other order of the War Production Board) for any use required by any contract with or order from the Army or Navy of the United States or any other agency or government referred to in (b) (1) and (2) of § 944.1 of Priorities Regulation No. 1, as amended.

(2) In case of doubt as to whether a particular use falls within the uses prohibited by the descriptions in column 3 on List A, any manufacturer, distributor or user may apply (by letter in triplicate) to the War Production Board for a specific ruling. The War Production Board may, either in response to such request or on its own motion, by letter or telegram addressed to a particular manufacturer, distributor or user, issue specific rulings determining whether or not a particular use or particular uses of a particular grade or type of paper are included within the prohibited uses for such grade or type.

(3) In case of doubt as to whether any particular paper is included by a particular designation, any manufacturer, distributor or user affected by this order may apply to the War Production Board for a specific ruling, by letter in triplicate, describing such paper in detail, the common designation thereof or of similar papers in the trade, the general uses for which such paper is designed or commonly used, and enclosing a sample of such paper. The War Production Board may, either in response to such request or on its own motion, by letter or telegram to a particular manufacturer, distributor or user, issue specific rulings determining which designation applies to any particular paper or papers or whether or not a particular paper or papers are included in any designation on List A.

(4) No restrictions contained in paragraphs (b) and (c) shall apply to any stocks which on July 23, 1943, were:

- (i) In the hands of a user,
- (ii) In transit to a user.
- (iii) In the hands of a manufacturer or distributor and so cut, processed or

printed as to render impracticable their use in a manner not subject to restriction by this order.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for appeal.

(g) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales, and shall make reports on the same if required.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed be addressed to: War Production Board, Pulp and Paper Division, Washington 25, D. C., Ref: M-286.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction, may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.  
LIST A

NOTE: List amended Jan. 31, 1945.

1 Effective date	2 Grade or type of paper	3 Prohibited uses
Jan. 31, 1945	Glassine and greaseproof, also vegetable parchment.	For wrapping or packaging at the point of manufacture or assembly, the following products: Textile and textile products woven and/or knitted except when oil impregnated or when sterilized in the package. Paper and paper products printed or unprinted except oil impregnated. Metals and metal products except when oiled, greased or otherwise coated with a like substance or except when sterilized in the package. Wood and wood products except if sterilized in the package. Candles and wax products. Cosmetics, dentifrices, toilet materials and soap. Laundry and dry cleaned products. Rubber and rubber products except when sterilized in the package, and except that vegetable parchment or glassine may be used as a substitute for Holland Cloth in the backing

1 Effective date	2 Grade or type of paper	3 Prohibited uses
Jan. 31, 1945	Glassine and greaseproof, also vegetable parchment.	<p>of retreading stocks for tires, the rollers, patches and sandblast stencils, and as a wrapping on friction and rubber tape.</p> <p>Leather goods and supplies.</p> <p>Plastic and plastic products except when sterilized in the package.</p> <p>Playing cards.</p> <p>Bottled and canned goods, all kinds, except glassine may be used for the covering protection of labels on bottles and cans of industrial and professional packages of drugs and pharmaceuticals or for the affixing of descriptive matter required by law in the instance of drugs and pharmaceuticals providing that the glassine so used is in the nature of a strip or band not exceeding in width the width of the bottle or can label. This paragraph shall not be construed to prohibit closure inserts, closure liners or closure gaskets.</p> <p>Candy and candy products when used as follows:</p> <p>(1) As a container overwrap, a container liner or a container layer sheet;</p> <p>(2) In conjunction with, or in addition to, any other greaseproof paper wrapper;</p> <p>(3) In conjunction with, or in addition to, any wrapper of cellophane or similar transparent material derived from cellulose;</p> <p>(4) In conjunction with, or in addition to, more than one other paper wrapper of any kind except that the exterior printed label shall not be considered a wrapper in those instances where common practice in the past has been to use the label as a band or sleeve rather than a full protective wrapper.</p> <p>In the manufacture of or for wrapping or packaging, at the point of manufacture or assembly, the following products:</p> <p>Greeting cards, valentines and novelties.</p> <p>Lamp shades.</p> <p>Advertising displays.</p> <p>Florist supplies.</p> <p>Package gift wraps.</p> <p>Decorations, novelties, toys, games, hair nets, jewelry, brushes and other toilet products.</p> <p>For wrapping or packaging at the point of manufacture or assembly, the following products:</p> <p>Tobacco and tobacco products (except tobacco and tobacco products packaged in folded flap type pouches) when used as follows:</p> <p>(1) In conjunction with, or in addition to, any wrapper of cellophane or similar</p>



1 Effective date	2 Grade or type of paper	3 Prohibited uses
Jan. 31, 1945	Glassine and greaseproof, also vegetable parchment.	transparent material derived from cellulose; (2) In laminated form containing more than one sheet of glassine, greaseproof or vegetable parchment; (3) In laminated form containing cellophane or similar transparent material derived from cellulose; (4) In any fashion in conjunction with, or in addition to, other glassine, greaseproof or vegetable parchment; Tobacco and tobacco products packaged in Folded Flap Type Pouches when used in laminated form containing more than sixty pounds (24 x 38/500) of fiber per ream. Yarns and threads, except oil impregnated. Twines and cordage, except oil impregnated. Coffee, if used in laminated form containing more than forty-five pounds per ream (24 x 38/500) of fiber. Chewing gum when employed as follows: (1) As the wrapper for package combinations of more than one stick or piece, except that one sheet of glassine, greaseproof or vegetable parchment may be used as one wrapper for package combinations in those instances where no glassine, greaseproof or vegetable parchment is used for wrapping the individual sticks or pieces which form such package combinations; (2) As the wrapper for individual sticks or pieces if the wrapper is in a laminated form containing more than one sheet of glassine, greaseproof or vegetable parchment; or if otherwise used, in any fashion, in conjunction with, or in addition to, other glassine, greaseproof or vegetable parchment paper. (3) A carton or container overwrap of any type. Smokers supplies, such as lighters, lighter flints, lighter wicks, pipe cleaners, filters, pipes, cigarette holders and cigar holders. Household dyes. Faces for watches, clocks and other instruments. Sponges. All foods for consumption by animals. Insecticides, rodenticides and other pest control products. Tea, if used in laminated form containing more than forty pounds per ream (24 x 38/500) of fiber. Macaroni, noodles and similar paste goods.

1 Effective date	2 Grade or type of paper	3 Prohibited uses
Jan. 31, 1945	Glassine and greaseproof, also vegetable parchment.	Potato chips, corn chips and popcorn, if used in laminated or duplex form containing more than forty-five pounds per ream (24 x 38/500) of fiber. Dried foods such as peas, beans, popcorn, rice, lentils and barley. This paragraph shall not be construed to include dehydrated products. Sugar, flour (excluding flour mixes containing chocolate) and unshelled nuts. Whole spices, excluding cloves and mixed pickling spices. Drink powders, excluding malted milk, cereal, bouillon, chocolate and cerea or combinations thereof. In the manufacture of or for wrapping or packaging at the point of manufacture or assembly, the following products: Albums, scrap books, filler and storage devices for such as, photographs, snapshots, stamps, negatives. General printed products, not otherwise named in this order, excluding diplomas for schools, colleges and State Boards, when the end use is one which does not require the protective packaging characteristics of the grade involved. Note: For the purpose of this paragraph the protective characteristics of Glassine, Greaseproof and Vegetable Parchment are defined as: (1) Greaseproofness, (2) Airproofness, (3) Flavor protection, (4) Insect protection, (5) Wet strength, (6) Moisture vapor proofness.

[F. R. Doc. 45-1880; Filed, Jan. 31, 1945; 11:52 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, Direction 9 as Amended Jan. 31, 1945]

#### RESTRICTIONS ON SALE AND DELIVERY OF CARDED COTTON WEAVING SALE YARN AND ON USE OF CARDED COTTON YARN AND ROVING

The following direction is issued pursuant to General Conservation Order M-317:

(a) This direction is issued in order to provide cotton duck and duck substitutes for the programmed requirements of the armed services and essential civilian needs.

(b) From January 15, 1945 through June 30, 1945, regardless of preference rated orders, no person shall sell or deliver, and no person shall purchase or accept delivery of, any carded cotton weaving sale yarn, single

or ply, natural, colored, white, tinged or waste, in counts of 20's or coarser, unless:

(1) It is to fill a direct order of the Army, Navy, Maritime Commission or War Shipping Administration, or

(2) It is to fill a rated order placed by any person who will deliver the yarn to, or will incorporate it into a product for ultimate delivery to, one of the agencies named in paragraph (b) (1). In this case the purchase order must bear a certification substantially as follows: "This yarn will be used to fill contract \_\_\_\_\_ (insert number) of the \_\_\_\_\_ (Army, Navy, Maritime Commission or War Shipping Administration)." or

(3) It is to fill an order bearing a preference rating which was assigned on Form WFB-2842.

(c) Applications made on Form WFB-2842 will be granted only when it appears that the programmed requirements of the armed services for cotton duck and duck substitutes will not be interfered with and it is shown that the yarn is needed for an essential industrial, agricultural or other civilian purpose.

(d) Also, effective January 15, 1945, no person shall incorporate any carded cotton yarn or roving, single or ply, natural, colored, white, tinged or waste, in counts of 20's or coarser, into any tufted, shag or chenille fabrics or products.

Issued this 31st day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1831; Filed, Jan. 31, 1945; 11:52 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310 as Amended Aug. 25, 1944, Amdt. 1]

#### HIDES, SKINS AND LEATHER

Section 3290.196 (General Conservation Order M-310) is hereby amended in the following respects:

1. Paragraph (a) (5) is amended by changing the colon in the 14th line to a period, by deleting the proviso following such colon "(Provided, That \* \* \* Priorities Regulation No. 17)" and by inserting in place of the proviso the following sentence:

Regardless of the provisions of Priorities Regulation 17, no orders for military exchanges and service departments shall be regarded as military orders except rated orders of United States Navy Ship's Service Departments and War Shipping Administration Training Organization Ship's Service activities for cut sole leather for repair purposes which are endorsed as follows:

The within order has been approved in accordance with instructions of the Army and Navy Munitions Board.

By \_\_\_\_\_  
Authorized Official.

2. In paragraph (b) (7) the words "including sole leather cut stock," in the 2nd and 3rd lines are changed to read "including sole leather cut stock" not required to fill military orders"

3. Paragraphs (e) (1) (i) and (e) (ii) are changed to read as follows:

(i) "Military quality outersole" means a band sole 9 to 11 iron inclusive of good fiber and of a grade not lower than imperfect fine grade, except 9 iron sole shall be of a grade not lower than semi-fine grade.

(ii) "Military quality midsole" means any bend sole of good fiber within one of the following three classifications:

6 to 8½ iron, inclusive, all grades down to No. 1 scratch, inclusive;

9 iron, imperfect fine and No. 1 scratch grades only;

9½ to 10½ iron, inclusive, No. 1 scratch grade only.

4. Paragraphs (e) (1) (iii) and (e) (1) (iv) are renumbered (e) (1) (iv) and (e) (1) (v) respectively, and a new (e) (1) (iii) is added reading as follows:

"(iii) "Military quality innersole" means a sole of 5½ to 7½ iron inclusive after being properly fleshed first quality full grain leather of a quality and fiber adapted to the purpose.

5. The present paragraph (e) (1) (v) is deleted.

6. In paragraph (e) (3) "midsoles" is added following "outsoles" in the 2nd line.

7. The first sentence of paragraph (e) (4) is changed to read as follows: "Sole

leather whole-stock shall be cut and the resulting cut stock disposed of only in accordance with the provisions of Schedule B hereof, and military quality cut stock produced in accordance with such schedule may be sold, delivered or used only to fill military orders unless otherwise permitted by General Direction 12 to this order."

8. The following is added as a separate unnumbered paragraph at the end of paragraph (e) (4)

No soles cut before January 30, 1945 and meeting the requirements for military quality outsoles as defined in this order before the amendment of January 30, 1945 shall be sold or used except to meet military orders. This does not apply to soles cut pursuant to General Direction 8 to this order or to soles released, sold or delivered pursuant to General Direction 9 to this order.

9. Paragraph (1) is amended by adding the following as an unlettered paragraph:

No direction issued under this order shall be deemed to require the furnishing of materials or facilities to the War Production Board. If a direction requires the furnishing of materials or facilities to a contracting agency or to a war contractor, or the production of a specified amount of a material or product, or restricts all or a part of a person's production or inventory to specified purposes, and if the person affected cannot get firm orders to cover the materials, facilities, production or inventory involved, he may appeal and the War Production Board will grant appropriate relief.

10. In Schedule A the words "except as prohibited by Conservation Order M-217" are added under "Footwear", the first item in the 1st column, and the words "provided that lines are limited to 1 inch in width" in the 5th item in the 1st column are deleted.

11. Schedule B is revised to read as follows:

## SCHEDULE B

	Type of sole leather whole stock			
	Finders' bends	Manufacturers-bends-for-repair	Manufacturers' crops, backs and bends	Shoulders, bellies and shanks
Block I—Persons permitted to cut each type subject to the provisions of Block II and III below.	Cutters for the repair trade only, except that any sole cutter may cut to obtain outsoles, midsoles and toplifts only in accordance with Block IIB below.	Cutter for the repair trade only	Any sole leather cutter.....	Any sole leather cutter.
Method of cutting: Block IIA. Each type shall be cut to yield maximum quantity of military quality cut stock shown in this block (notwithstanding the additional requirements in General Direction 12 to this order), except as otherwise permitted in Block IIB.	Must be cut as shown in Block IIB.	Outsoles.....	Outsoles.....	Innersoles.
Block IIB. Each type may be cut to produce the military quality cut stock shown in this block but only— 1. So as to yield the maximum quantity of such military quality cut stock, and 2. To the extent required to meet unfilled military orders of the kinds indicated.	Strips and tape to meet any unfilled military order. Toplifts cut from bends or other bend portions to meet any unfilled military orders. Outsoles and midsoles to meet military orders under Lend-Lease Act only.	May not be cut except under Block IIA.	Counters and toplifts to meet any unfilled military order. Outsoles and midsoles to meet military orders under Lend-Lease Act only.	Counters, box toes and midsoles to meet any unfilled military order.
Cutting and disposition of remainder of each type after military quality cut stock has been obtained as provided in Block II.				
Block IIA. Except as provided in Block IIB below, remainder of each type shall be cut and disposed of only as shown in this block.	To produce repair cut stock, other than outer soles and midsoles, for sale only to finders for ultimate use by shoe repairers or persons repairing their own shoes.	To produce repair cut stock other than outer soles, midsoles and innersoles, for sale only to finders for ultimate use by shoe repairers or persons repairing their own shoes.	To produce cut stock for use by shoe manufacturers only.	To produce cut stock for use by shoe manufacturers only.
Block IIB. Exceptions shall be only as shown in this block.	Finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outsoles and midsoles produced unavoidably in the course of cutting military outsoles and midsoles—for sale only to shoe manufacturers.	Butt pieces, finders toplifts and finders pieces from which no tap can be obtained—unrestricted. Non-military outsoles, midsoles and innersoles, produced unavoidably in the course of cutting military outsoles, midsoles and innersoles—for sale only to shoe manufacturers.	No exceptions.....	No exceptions.

Issued this 30th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1839; Filed, Jan. 30, 1945;  
4:57 p. m.]

PART 3290—TEXTILES, CLOTHING AND  
LEATHER

[General Conservation Order M-310, General  
Direction 12]

CUTTING AND USE OF MILITARY QUALITY OUT-  
ERSOLES, MIDSOLES AND INNERSOLES

The following direction is issued pursuant to General Conservation Order M-310:

The following shall be the standards in cutting military quality outsoles, midsoles and innersoles from crops, backs, bends and bend strips from manufacturers' leather:

1. The cutting of bends, crops, backs and bend strips, 8 iron and up shall yield, on the average during each calendar month, a total of at least 10½ pairs of outsoles, midsoles and innersoles (as defined in Order M-310), including at least 3½ pairs of innersoles, from each crop and back, and a total of at least 8 pairs of outsoles, midsoles and innersoles, including at least 1 pair of innersoles, from each bend and from each 10 pounds of bend strips.

2. The cutting of crops, backs, bends and bend strips, under 8 iron, shall yield, on the average during each calendar month, a total of at least 9½ pairs of outsoles, midsoles and innersoles (as defined in Order M-310), including at least 5½ pairs of innersoles,

from each crop and back, and a total of at least 7 pairs of outsoles, midsoles and innersoles, including at least 3 pairs of innersoles, from each bend and from each 10 pounds of bend strips.

The iron of bend strips shall be determined by measuring them at the backbone end.

Innersoles which can be made suitable for military shoes by treating or curring with a material not injurious to the foot shall be considered military quality innersoles for the purposes of this direction.

No person cutting vegetable tanned sole leather crops, backs, bends or bend strips who fails to meet these standards for any calendar month after January 1945 shall continue cutting such crops, backs, bends or bend strips for any purposes.

Any military quality midsoles or innersoles produced in excess of the quantities required

by the foregoing standards may be sold, delivered or used on civilian orders. Nothing in this direction requires the cutting of more military quality midsoles and innersoles than the quantities set forth in the foregoing standards. Cutters are required, however, to produce the maximum possible quantity of military quality innersoles from bellies, shoulders and shanks.

No footwear manufacturer is permitted to use for any purpose in any civilian footwear any soles on the ground that they are not suitable as military quality innersoles if they can be made suitable by treating or currying with a material not injurious to the foot. For example: If an innersole is of proper thickness, substance and selection to be used as a military innersole but is too firm or tight fiber for this purpose, it must be treated or curried if this will make it suitable for military purposes, and it cannot be used in civilian shoes.

Any person who is unable to meet the above cutting requirements because of the nature of the leather available to him, or to meet the above restriction on use of innersoles, may file an appeal as provided in paragraph (1) of General Conservation Order M-310.

This direction shall expire on April 30, 1945, unless previously extended.

Issued this 30th day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-1840; Filed, Jan. 30, 1945;  
4:57 p. m.]

## Chapter XI—Office of Price Administration

### PART 1305—ADMINISTRATION

[Supp. Order 104]

#### ELIMINATION OF HIGHEST PRICE LINE LIMITATIONS ON SALES OF APPAREL TO CERTAIN GOVERNMENT PROCUREMENT AGENCIES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

§ 1305.133 *Elimination of highest price line limitations on sales of apparel to certain government procurement agencies.* (a) On and after January 30, 1945, any manufacturer may offer, sell or deliver any article of apparel to a government procurement agency listed in paragraph (c) (2) without regard for the highest price line limitations contained in Maximum Price Regulation 177, Revised Maximum Price Regulation 287, or Maximum Price Regulation 570.<sup>2</sup>

(b) *Marking requirements.*—(1) *Articles of apparel sold at prices higher than the highest price line limitation.* Every article of apparel which the manufacturer sells or delivers on or after April 1, 1945, at a price higher than the highest price line limitation provided for that article by Maximum Price Regulation 177, Revised Maximum Price Regulation 287, or Maximum Price Regulation 570, must be marked by the manufacturer with a ticket or label containing the letter: "H."

\*Copies may be obtained from the Office of Price Administration.

<sup>2</sup> 8 F.R. 13713.

<sup>3</sup> 8 F.R. 9122, 10001, 10304; 9 F.R. 974, 12590.

<sup>4</sup> 10 F.R. 655.

(2) *Manner of marking.* The required marking must be attached to each article of apparel by stitching, adhesive, pins or staples, or by some other method which attaches the ticket or label securely to the article of apparel.

(3) *Removal of marking.* The required marking may not be removed or altered by any person prior to delivery to the government procurement agency.

(c) *Definitions.*—(1) *Manufacturer.* When used in this supplementary order the term "manufacturer" means a person who sells a garment which he has fabricated from materials owned by him or which has been fabricated for him from materials furnished by him.

(2) *Government procurement agency.* When used in this supplementary order the term "government procurement agency" means the Procurement Division of the Treasury Department, War Department and Department of the Navy.

(3) *Highest price line limitation.* When used in this supplementary order the term "highest price line limitation" means any provision in any of the regulations specified in paragraph (a) which requires a seller to limit his sales with reference to any highest price line offered for sale or delivered by him at any prior time, or any provision in an order issued thereunder which places a dollar and cent limitation upon the highest price at which a seller may sell or deliver any garment in a particular class, classification or category of garments.

This supplementary order shall become effective January 30, 1945.

Coals produced at any and all mines in the following subdistricts	Prices and size group numbers								
	1,2	3,4,5,6	7	8,9	10,11	12	13	14	15
Subdistrict No. 1.....	415	393	329	310	270	250	350	365	335
Subdistricts Nos. 2 & 3.....	339	339	225	230	225	210	230	230	270

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

Coals produced at any and all mines in the following subdistricts	Truck Price Group No.	Prices and size group numbers								
		1,2	3,4,5,6	7	8,9	10,11	12	13	14	15
Subdistrict No. 1.....	1	425	415	335	320	330	320	370	340	310
Subdistrict No. 2 except Iron County and Mine Index 197, Subdistrict No. 3 except Utah County.....	2	425	425	310	275	270	265	325	290	260
Iron County except Mine Index No. 197.....	3	425	425	430	415	390	385	335	300	260
Mine Index No. 197.....	4	425	410	385	330	320	315	335	300	260
Mine Index No. 197.....	5	415	425	330	275	270	265	325	290	260
Utah County.....	6	339	339	225	230	225	210	230	230	270

(3) *Specific description of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).*

Size Group No.	Description
1.....Lump..	Single-screened lump coal with a bottom size larger than 10" Double-screened coals top size larger than 5", bottom size larger than 5"
2.....Lump..	Single-screened lump coal bottom size larger than 5" but not exceeding 10" Double-screened coals top size not exceeding 5" bottom size larger than 5"

Size Group No.	Description
3.....Lump..	Single-screened lump coal bottom size larger than 10" but not exceeding 5"
4.....Lump..	Single-screened lump coal with a bottom size 1 1/2" or smaller
5.....Stove..	Double-screened coals top size larger than 5" but not exceeding 8", bottom size larger than 1 1/2" but not exceeding 5"
6.....Egg..	Double-screened coals top size larger than 5" but not exceeding 8" bottom size 1 1/2" or smaller
7.....Nut..	Double-screened coals top size larger than 1 1/4" but not exceeding 5" bottom size 1 1/2" or smaller
8.....Pea..	Double-screened coals top size larger than 1" but not exceeding 1 1/2"

(56 Stat. 23, 765, 57 Stat. 560; Pub. Law 383, 76th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4631)

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1835; Filed, Jan. 30, 1945;  
4:37 p. m.]

### PART 1340—FUEL [MPR 129, Amdt. 127]

#### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1340.231 is amended to read as follows:

§ 1340.231 *Appendix T—Maximum prices for bituminous coal produced in District No. 20.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) Maximum prices in cents per net ton for shipment to all destinations, for all uses and by all methods of transportation except truck, or wagon.

Size Group No.	Description
9...Slack Screened...	Double-screened coals top size not exceeding 1"
10.....Screenings...	Larger than 1" x 0 but not exceeding 1 1/2" x 0.
11.....Screenings...	Larger than 3/4" x 0 but not exceeding 1" x 0.
12.....Screenings...	3/4" x 0 or smaller.
13.....Mine run...	Mine run and all resultants coal larger than 8" x 0.
14.....Resultant...	Larger than 3" x 0 but not exceeding 8" x 0.
15.....Resultant...	Larger than 1 1/2" x 0 but not exceeding 3" x 0.

(4) All orders of adjustment issued prior to January 1, 1945 and all adjustments computed on OPA Form No. 652-638 under former § 1340.207 (e) (added by Amendment No. 74) shall be void as of February 5, 1945.

This amendment shall become effective February 5, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1945.

CHESTER BOWLES,  
Administrator

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 120 is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,  
Economic Stabilization Director  
[F. R. Doc. 45-18667; Filed, Jan. 31, 1945;  
11:40 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,<sup>1</sup> Amdt. 28]

##### POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 271 is amended in the following respects:

1. In section 24, Table 1, the items under May 1-15 and May 16-31 reading, "Florida, area north of Counties of Charlotte, Glades and Martin and east of the Suwanee River" are amended in each case, to read as follows:

Florida, all counties east and south of the Suwanee River.

2: In section 24, Tables II and III are added to read, respectively as follows:

TABLE II—EARLY DRY ONIONS OF THE 1945 CROP

Maximum prices, f. o. b. country shipping point, per 50 lbs., in bags, loaded on carrier, all producing areas:<sup>1</sup>

Period:	Maximum prices
Beginning of season to May 15 inclusive.....	2.65
May 16 to June 15 inclusive.....	2.55
June 16 to July 15 inclusive.....	2.35

<sup>1</sup> The prices in the foregoing table are subject to the following differentials:

(a) For white onions in 50 lb. sacks, the country shipper may add 15¢ per 50 lbs.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 15587, 15663; 9 F.R. 2298, 3589, 4027, 4647, 5379, 6151, 7504, 7771, 7852, 8931, 9356, 9783, 10089, 10199, 10981, 10778, 12270, 12475, 13262.

(b) For white boiler and white pickler onions in 50 lb. sacks, meeting United States Department of Agriculture standards for size only, the country shipper may add \$1.00 per 50 lbs.

(c) For onions sold in bulk or containers furnished by the purchaser, the country shipper shall subtract 15¢ per 50 lbs.

(d) For onions 3 1/4" and larger in 50 lb. sacks, the country shipper may add 20¢ per 50 lbs.

(e) If the country shipper supplies excelsior or other protective pads in making shipments of early dry onions by rail freight car, he may add the actual cost of such padding, but not to exceed 2¢ per 50 lbs.

TABLE III—DRY ONIONS OF THE 1945 CROP

Maximum prices, f. o. b. country shipping point, per 50 lbs. in bags, loaded on carrier.<sup>1</sup>

Producing area	July 16-Aug. 15	Aug. 16-Oct. 31	Nov. and Dec.	Jan.	Feb.	Mar.	Apr. and after
Maine, New Hampshire, Vermont, Massachusetts, Rhode Island.....	\$2.00	\$1.75	\$2.00	\$2.15	\$2.30	\$2.45	\$2.60
Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia.....	2.00	1.80	2.05	2.20	2.35	2.50	2.65
Michigan, Indiana, Ohio, Kentucky, Illinois, Wisconsin.....	1.95	1.70	1.95	2.10	2.25	2.40	2.55
Minnesota, North Dakota, South Dakota, Nebraska, Iowa, Missouri, Kansas.....	1.90	1.60	1.85	2.00	2.15	2.30	2.45
Montana, Idaho, Washington, Oregon (counties of Walla, Union, Grant, Baker, Harney, Malheur), Wyoming, Colorado, Utah, Arizona, New Mexico.....	1.80	1.60	1.75	1.90	2.05	2.20	2.35
Oregon, all counties except Crook, Deschutes, Klamath, Lake, Walla, Union, Grant, Baker, Harney and Malheur.....	1.85	1.60	1.85	2.00	2.15	2.30	2.45
Oregon (counties of Crook, Deschutes, Klamath, Lake) and all other States.....	1.95	1.70	1.95	2.10	2.25	2.40	2.55

<sup>1</sup> The prices in the foregoing table are subject to the following differentials:

(a) For white onions in 50 lb. sacks, the country shipper may add 30¢ per 50 lbs.

(b) For dry onions 3" and larger, in 50 lb. sacks, shipper may add 20¢ per 50 lbs.

(c) For white boiler and white pickler onions in 50 lb. sacks and meeting United States Department of Agriculture standards for size only, the country shipper may add \$1.00 for 50 lbs.

(d) For dry onions, packed in 10 lb. sacks or smaller, the country shipper may add 15¢ per 50 lbs.

(e) For dry onions, packed in mesh bags of 10 lbs. or less, the country shipper may add 25¢ per 50 lbs.

(f) For dry onions packed in mesh bags of 25 lbs. the country shipper may add 10¢ per 50 lbs.

(g) If the purchaser furnishes sacks, the country shipper shall subtract 15¢ per 50 lbs.

(h) For dry onions, field run, bulk basis, where the purchaser furnishes sacks and performs all sorting and loading functions, the country shipper shall subtract 40¢ per 50 lbs.

(i) If the country shipper furnishes protective service such as straw or paper padding or pre-heating, he may add the actual cost of such service not to exceed 2¢ per 50 lbs.

3. In section 25 (a) (3) the parenthetical statement following the words, "Baking type" is amended to read as follows: "These differentials apply only to potatoes grading U. S. No. 1 or better, and shall not be used in combination with any other differential established by this section.)"

This amendment shall become effective February 5, 1945.

Issued this 31st day of January 1945.

CHESTER BOWLES,  
Administrator

Approved: January 19, 1945.

MARVIN JONES,  
War Food Administrator

For the reasons set forth in an accompanying statement of considerations, I approve the regrouping of certain Florida potato producing counties as set forth in the foregoing amendment, and find that it is necessary in order to correct a gross inequity, and I approve the prices established by that amendment for the 1945 crop of dry onions and find that they are necessary in order to aid in the effective prosecution of the war.

FRED M. VINSON,  
Economic Stabilization Director  
[F. R. Doc. 45-1866; Filed, Jan. 31, 1945;  
11:40 a. m.]

#### PART 1358—TOBACCO

[RMPR 494,<sup>1</sup> Amdt. 1]

##### DOMESTIC CIGAR FILLER AND BINDER TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 494 is amended in the following respects:

1. Section 2 (a) (2) is amended to read as follows:

(2) "Grade" means the subdivision of the type of tobacco as set forth in Tables I, II and III according to group and quality and according to color when color is treated as a separate factor, except that "Grade" as used in Section 5 means the subdivision of the type of tobacco as graded by the supplier.

2. Subparagraphs (6) through (10), inclusive, are redesignated subparagraphs (8) through (21), inclusive, and new subparagraphs (6) and (7) are added to read as follows:

(6) "Packer's selling weight" means the weight of the tobacco at the time of

<sup>1</sup> 9 F. R. 14725.

invoicing, or 88% of the green weight, whichever weight is lower. For Farm Filler's grade (Type 41) and Farmer's Trash grade (Types 42, 43, 44, 54 and 55) the packer's selling weight shall be the weight of the tobacco at the time of sale.

(7) "Marked weight" means the weight of the tobacco being priced at the time it is banded, cased or baled by the packer thereof.

3. Redesignated subparagraph (11) of section 2 (a) is amended to read as follows:

(11) "Packer" means a person who with respect to the tobacco being priced sorts, grades, sizes, sweats and bundles, bales or cases the tobacco in accordance with established trade custom as to the type and grade of tobacco involved ready for use by a manufacturer of tobacco products. A manufacturer shall be deemed a packer of any tobacco with respect to which he performs or causes to be performed for his account these functions. A grower shall not be deemed a packer solely because he sorts, bundles or cases tobacco after curing and prior to its first weighing after delivery.

4. Redesignated subparagraph 18 of section 2 (a) is amended as follows:

(18) "Net delivered cost" means the amount you paid for the tobacco delivered at your customary receiving point, less all discounts except that for prompt payment. No charges for local hauling or trucking shall be included. Net delivered cost of a packer who grows the tobacco packed and sold by him shall be an amount obtained by multiplying the number of pounds of tobacco, green weight, being priced by the appropriate maximum prices shown in Tables I and II for each grade of each type.

5. The headnote of section 3 and the introductory text of section 3 (a) is amended to read as follows:

Sec. 3. *Maximum prices for sales of domestic cigar filler and binder tobacco*—(a) For sellers other than grower cooperatives, packers, dealers and jobbers. If you are a seller (other than a grower cooperative, packer, dealer or jobber) of domestic cigar filler and binder tobacco, your maximum price per pound, selling weight, for a type of domestic cigar filler and binder tobacco of a particular grade listed in Tables I or II shall be as follows:

6. The introductory text of the note designated "2" following Table I of section 3 (a) is amended to read as follows:

2. *Delivery expenses to be paid by buyer* If delivery is made by the grower the transportation cost charged to the buyer shall not exceed the following:

7. Section 3 (b) is amended to read as follows:

(b) For grower cooperatives: If you are a grower-cooperative, your maximum price per pound, selling weight, for a

particular grade of domestic cigar filler or binder tobacco shown in Tables I and II shall be the maximum selling price set forth in Tables I or II of this section for such listed type and grade plus one (1) cent per pound.

8. Section 4 (a) is amended to read as follows:

(a) *Maximum prices for Types 41, 42, 43, 44, 53, 54 and 55.* If you are a packer of Type 41 (Pennsylvania Seedleaf) Type 42 (Ohio-Gebhardt and Hybrid Types (seedleaf)) Type 43 (Ohio-Zimmer or Spanish (Havana Seed Type)), Type 44 (Ohio-Dutch or Little Dutch) Type 53 (New York and Pennsylvania Havana Seed), Type 54 (Southern Wisconsin, except Grant County) and Type 55 (Northern Wisconsin, including Grant County) domestic cigar filler and binder tobaccos, the maximum price for your sales of each grade of each type of tobacco which you sell as a packer shall be a weighted average selling price per pound, packer's selling weight, computed as follows:

(1) Divide your total net delivered cost for each grade of each type of the tobacco to be priced by the number of pounds, green weight, of each corresponding grade and type.

(2) Divide the packing cost (as defined in redesignated section 2 (a) (20)) applicable to each grade of each type of the tobacco to be priced by the number of pounds, packer's selling weight, of each corresponding grade and type.

(3) Multiply the resulting figure at (1) by 1.30.

(4) The total of the figures at (2) and (3) is your weighted average maximum selling price per pound, packer's selling weight, for each grade of each type of the tobacco being priced.

You may sell any of this tobacco at a price in excess of your weighted average selling price per pound, packer's selling weight, only if your weighted average selling price for all your sales of each grade of each type of the tobacco to be priced at no time exceeds your weighted average maximum selling price per pound determined at (4) above.

9. Table IV in section 4 (b) is redesignated Table III and the term "marked weight" is substituted for the term "selling weight", wherever the same appears, including the column heading of column 2 of redesignated Table III.

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound (January thru March)
23	Salmon, Steelhead (Pacific Coast) ( <i>Salmo gairdneri</i> ).....	1	Round.....	All sizes.....	\$2.15½

2. In section 22, Table B, Schedule No. 35 is amended to read as follows:

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound (January thru March)
23	Salmon, Steelhead (Pacific Coast) ( <i>Salmo gairdneri</i> ).....	1	Round.....	All sizes.....	\$2.18
		2	Dressed.....	All sizes.....	.23½
		3	Drawn.....	All sizes.....	.21
		4	Steaks.....	All sizes.....	.27½

\*Copies may be obtained from the Office of Price Administration.

10. Paragraph (c) is added to section 4 to read as follows:

(c) If you are a packer your maximum price for sales of domestic cigar filler or binder tobacco purchased by you from another packer shall not exceed your net delivered cost per pound for the tobacco being priced.

11. Paragraph (c) is added to section 5 to read as follows:

(c) If you are a dealer or jobber your maximum price for sales of domestic cigar filler or binder tobacco purchased by you from another dealer or jobber shall not exceed your net delivered cost per pound for the tobacco being priced.

12. Subdivision (v) of section 13 (b) (2) is revoked and a new subdivision (v) is added to read as follows:

(v) If you are a purchaser of tobacco you shall not pay to a grower (directly or indirectly) a commission, fee or other compensation as a broker, buyer's agent, or in any other capacity, with respect to the purchase of tobacco from any person who is similarly employed by you or by any subsidiary, affiliate or agent of such person from whom you buy.

This amendment shall become effective January 30, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

Approved: January 29, 1945.

GROVER B. HILL,  
First Assistant War Food  
Administrator.

[F. R. Doc. 45-1837; Filed, Jan. 30, 1945;  
4:37 p. m.]

PART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS  
[MPR 418, Amdt. 40]

FRESH FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 418 is amended in the following respects:

1. In section 22, Table A, Schedule No. 35 is amended to read as follows:



## 3. In section 22, Table C, Schedule No. 35 is amended to read as follows:

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound (January thru March)
25	Salmon, Steelhead (Pacific Coast) ( <i>Salmo gairdnerii</i> )-----	1 2 3 4	Round..... Dressed..... Drawn..... Steaks.....	All sizes..... All sizes..... All sizes..... All sizes.....	\$.19¼ .25½ .23 .29¼

## 4. In section 22, Table D, Schedule No. 35 is amended to read as follows:

Schedule No.	Name	Item No.	Style of dressing	Size	Price per pound (January thru March)
25	Salmon, Steelhead (Pacific Coast) ( <i>Salmo gairdnerii</i> )-----	1 2 3 4	Round..... Dressed..... Drawn..... Steaks.....	All sizes..... All sizes..... All sizes..... All sizes.....	\$.20¼ .26½ .24 .30¼

This amendment shall become effective January 30, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-18863; Filed, Jan. 30, 1945;  
4:37 p. m.]

### Chapter XVIII—Office of Economic Stabilization

[Directive 31]

#### PART 4003—SUBSIDIES: SUPPORT PRICES

##### LIVESTOCK SLAUGHTER PAYMENTS

Pursuant to the authority vested in me by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes" and by Executive Order No. 9250 of October 3, 1942, and Executive Order No. 9328 of April 8, 1943,

It is hereby ordered:

#### Sec.

1. Purposes of this order.
2. Establishment of slaughter base percentages for subsidy payments.
3. Livestock slaughter payments by Defense Supplies Corporation.
4. Relation of this order to the directive on livestock slaughter payments.

**AUTHORITY:** Sections 1 to 4, inclusive, issued under E.O. 9250 and E.O. 9328.

**SECTION 1. Purposes of this order**  
This order is designed to implement the program instituted pursuant to the directive on livestock slaughter payments, issued by the Director, Office of Economic Stabilization, October 26, 1943, as supplemented by Directive No. 28, issued by the Director, Office of Economic Stabilization, on January 10, 1945. This order is further designed to ensure that livestock slaughter payments made by the Defense Supplies Corporation pursuant to the above-mentioned directives are made only to the extent necessary to maintain live cattle prices within a range consistent with the purposes of the stabilization and production programs, that the available supplies of live cattle are equitably distributed among slaughter-

\*Copies may be obtained from the Office of Price Administration.

ers, and to coordinate the stabilization and production programs with those programs of the War Food Administrator designed to effectuate the procurement of meat for the armed services of the United States and for other essential war needs.

**SEC. 2. Establishment of slaughter base percentages for subsidy payments.** (a) The War Food Administrator is authorized to establish, publish, and certify to the Defense Supplies Corporation, from time to time and with respect to any class or species of livestock, percentages of the total slaughter of livestock during accounting period of 1944 upon which livestock slaughter payments may be made during corresponding accounting periods of 1945 to any slaughterer whose establishment is not operated under Federal inspection.

(b) For the purpose of this order, the total slaughter of livestock of any class or species by any such slaughterer during any accounting period of 1944 shall be deemed to be the live weight of such class or species of livestock certified by such slaughterer for such accounting period under a claim for livestock slaughter payments for such accounting period. In any case where a slaughterer did not claim livestock slaughter payments for a particular accounting period in 1944, or in case the prescribed percentage of slaughter during the 1944 accounting period will impose an exceptional or unreasonable hardship, the total slaughter of livestock of any class or species for such accounting period shall be deemed to be such amount as the War Food Administrator may determine after consideration of the facts submitted by the claimant, together with such other facts as the War Food Administrator deems material.

**SEC. 3. Livestock slaughter payments by Defense Supplies Corporation.** The Defense Supplies Corporation is directed to amend Regulation No. 3 (livestock slaughter payments) to limit payments in accordance with any certification to it by the War Food Administrator of the percentages provided for in this order. The Defense Supplies Corporation is directed to make livestock slaughter payments not in excess of such amounts as are determined in accordance with such percentages.

**SEC. 4. Relation of this order to the directive on livestock slaughter payments.** Nothing in this order shall be construed as affecting the provisions of paragraph 3 of the directive on livestock slaughter payments of October 26, 1943. The directive on Livestock Slaughter Payments of October 26, 1943, shall remain in full force and effect except insofar as the provisions of this order are inconsistent therewith.

Effective date: January 30, 1945.

Issued this 30th day of January 1945.

FRED M. VINSON,  
*Economic Stabilization Director*

[F. R. Doc. 45-18863; Filed, Jan. 31, 1945;  
11:25 a. m.]

## TITLE 46—SHIPPING

### Chapter II—United States Maritime Commission

[Rev. Gen. Order 21, Amdt. 1]

#### PART 203—ADMISSION TO PRACTICE BEFORE THE COMMISSION

##### CLASSES ADMITTED; TERM OF PRACTICE

General Order 21, Revised, (9 F.R. 14609) is amended as follows:

1. The opening clause of § 203.3 *Classes of persons who may be admitted* is amended to read: "The following classes of persons of good moral character found by the Commission to possess the requisite qualifications to represent others may be admitted to practice before the Commission."

2. The following new section is added:

§ 203.3a *Term of practice.* The privilege to practice before the Commission, for all persons whose registration is presently in effect and for all persons who may be admitted prior to December 31, 1945, shall be effective until December 31, 1945.

(Sec. 204 (b) 49 Stat. 1987)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,  
*Secretary.*

JANUARY 30, 1945.

[F. R. Doc. 45-18863; Filed, Jan. 31, 1945;  
1:53 a. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

#### PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE

##### SPECIAL FREQUENCIES FOR STATE GUARD STATIONS

The Commission on January 25, 1945, effective immediately, amended Part 15 to include the following new sections:

§ 15.88 *Special frequencies.* (a) In addition to the frequencies listed in § 15.21 the frequencies 3655 and 3025

kilocycles are available for assignment to State Guard Stations operating in the War Emergency Radio Service subject to the following limitations:

(1) The frequency 3655 kilocycles is available for assignment in the States of Maryland, Pennsylvania, Virginia, Alabama, Mississippi, Georgia, Florida, North Carolina, South Carolina, Tennessee, Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wyoming and the District of Columbia and the frequency 3825 kilocycles is available for assignment in all states not named above.

(2) The frequencies 3655 and 3825 kilocycles are available for assignment in the territories and possessions of the United States.

(b) Applications from State Guard organizations within the continental United States requesting use of one of these frequencies shall be forwarded through and contain the endorsement of the Commanding General of the U. S. Service Command of the area in which operation is proposed. Applications from similar organizations located in the territories and possessions of the United States requesting use of either one of these frequencies shall be forwarded through and contain the endorsement of the local army commander of the area in which operation is contemplated.

§ 15.89 *Tolerance, emission and power*  
(a) The frequency of State Guard Stations operating on these frequencies shall be maintained within a tolerance of .02 percent of the assigned carrier frequency.

(b) State Guard Stations operating on these frequencies shall use A-3 emission only and the transmitter power output shall not exceed 5 watts.

(48 Stat. 1082; 47 U.S.C. 4072; E.O. 8964, 12-10-41)

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-1842; Filed, Jan. 31, 1945;  
11:18 a. m.]

#### PART 31—UNIFORM SYSTEM OF ACCOUNTS CLASS A AND CLASS B TELEPHONE COMPANIES

##### CONTINUING PROPERTY RECORDS

The Commission on January 25, 1945, effective immediately, amended *Standard Practices for the Establishment and Maintenance of Continuing Property Records by Telephone Companies having Average Annual Operating Revenues in Excess of \$2,000,000*, as follows:

Amended subparagraphs (a) and (b) of paragraph 2, *Property-record units, "retirement units" and minor items*, to read:

(a) In each of the established area sub-accounts the basic units of physical property, hereinafter called "property-records units," in terms of which the perpetual inventory is to be maintained, shall be set forth separately, classified by size and type and with the amount of original (or other appropriate book) cost asso-

ciated immediately with each such unit. When a list of property-record units has been accepted by the Commission, the property-record units set forth therein shall become the basic units referred to in this statement of standard practices.

(b) With respect to land in fee classifiable in account 207, "Right of way," and plant classifiable in account 211, "Land," the units to be set forth as constituents of the property-record units shall consist of parcels of land. Each land parcel shall be identified as to function and location. In the continuing property record or in records supplemental thereto there shall be shown with respect to each land parcel the area, identity of vendor, grantor, or other conveyor of title, identification of deed or other instrument, and original cost.

Amended paragraph 8 to read:

8. *References to sources of information.* There shall be shown by appropriate reference the source of all entries. All drawings, computations, and other detailed records which support either the quantities or the costs included in the continuing property record shall be retained as a part of or in support of the continuing property record.

Amended subparagraph (a) of paragraph 9, *Jointly owned property*, to read:

(a) With respect to jointly owned property, there shall be shown in the continuing property record or records supplemental thereto:

1. The identity of all joint owners.
2. The percentage of ownership of the physical units vested in the accounting company.

NOTE: When plant is constructed under arrangements for joint ownership, the amount received by the constructing company from the other joint owner or owners shall be credited as a reduction of the gross cost of the plant in place. When a sale of a part interest in plant is made, the fractional interest sold shall be treated as a retirement and the amount received shall be treated as salvage. The continuing property record or records supplemental thereto shall be so maintained as to identify retirements of this nature separately from physical retirements of jointly owned plant.

(48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-1843; Filed, Jan. 31, 1945;  
11:18 a. m.]

#### Notices

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4538]

MARIE SIMON

In re: Estate of Marie Simon, also known as Marie H. Simon, deceased; File No. D-28-8846; E. T. sec. 10922.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind

or character whatsoever of Augusta Hubcher, Anna Kuhneman, David Hentze and Heinrich Hentze, and each of them, in and to the Estate of Marie Simon, also known as Marie H. Simon, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Augusta Hubcher, Germany.

Anna Kuhneman, Germany.

David Hentze, Germany.

Heinrich Hentze, Germany.

That such property is in the process of administration by Henry J. Meyer, Executor, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 19, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1763; Filed, Jan. 30, 1945;  
10:56 a. m.]

[Vesting Order 4539]

WILHELMINE SKIBBE

In re: Estate of Wilhelmine Skibbe, deceased; File D-28-8065; E. T. sec. 9027.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Augusta Raabe and Friedericke Strey, and each of them, in and to the Estate of Wilhelmine Skibbe, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Augusta Raabe, Germany.  
Friedericke Strey, Germany.

That such property is in the process of administration by The State Bank and Trust Company, 1603 Orrington Avenue, Evanston, Illinois, as Executor of the Estate of Wilhelmine Skibbe, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 19, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1770; Filed, Jan. 30, 1945;  
10:56 a. m.]

[Vesting Order 4540]

HENRY SPINDLER

In re: Estate of Henry Spindler, deceased; D-28-9350; E. T. sec. 12349.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Spindler and Ernest Spindler, and each of them, in and to the Estate of Henry Spindler, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Addresses*

Anna Spindler, Germany.  
Ernest Spindler, Germany.

That such property is in the process of administration by the Lafayette Trust Company, as Administrator, acting under the judicial supervision of the Orphans' Court of Northampton County, Easton, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 19, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1771; Filed, Jan. 30, 1945;  
10:56 a. m.]

[Vesting Order 4541]

FRANK STEJSKAL

In re: Estate of Frank Stejskal, alias Frank Stiskas, deceased; File D-34-98; E. T. sec. 2599.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frank Andro Stejskal and sons and daughters, names unknown, of Frank Andro Stejskal, and each of them, in and to the Estate of Frank Stejskal, alias Frank Stiskas, Deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Frank Andro Stejskal, Hungary.  
Sons and daughters, names unknown, of Frank Andro Stejskal, Hungary.

That such property is in the process of administration by John T. Dempsey, 11 South LaSalle Street, Chicago, Illinois, as Administrator and Administrator with the Will Annexed of the Estate of Frank Stejskal, alias Frank Stiskas, Deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

2. That the property described as follows:  
a. All of that certain real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described as follows:

Lot One Hundred Thirty-six (136) in Cyrus H. McCormick Estate Subdivision of Block Eleven (11) in S. J. Walker's Subdivision of the North East quarter of section Twenty-five (25), Township Thirty-nine (39) North, Range Thirteen (13) East of the Third Principal Meridian, in Cook County, Illinois, (improved with a frame cottage, located at 2810 West 25th Street, Chicago, Illinois);

Together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries;

b. All right, title and interest of Frank Andro Stejskal and sons and daughters, names unknown, of Frank Andro Stejskal, and each of them, in and to:

(1) Fire Insurance Policy No. B-649598, issued by the Safeguard Insurance Company of New York, in the amount of \$3500.00, naming Frank Stejskal as the assured and expiring April 5, 1945, and

(2) Title Guarantee Policy (Owner's No. 1942741) issued by the Chicago Title and Trust Company, Chicago, Illinois in the amount of \$3000.00, naming Frank Stejskal as the assured, which policies respectively insure the improvements on, and guarantee the title to, the property described in subparagraph 2-a hereof;

is property within the United States owned or controlled by Frank Andro Stejskal and sons and daughters, names unknown, of Frank Andro Stejskal, nationals of a designated enemy country (Hungary);

And determining that the property described in subparagraph 2-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 2-a hereof) belonging to the same nationals of the same designated enemy country, (Hungary) and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Hungary);

And having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 19, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-1772; Filed, Jan. 30, 1945;  
10:56 a. m.]

[Vesting Order 4542]

GEORGE P. STERN

In re: Estate of George P. Stern, also known as Walter Pirmin Sternjacob and Walter Stern, deceased; File D-28-2610; E. T. sec. 4205.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of \$1,161.67 in the possession and custody of the County Treasurer in and for the County of Wayne, Michigan, deposited May 13, 1943 for the benefit of Maria Stern pursuant to order of the Probate Court for the County of Wayne, dated April 20, 1943, in the Estate of George P. Stern, also known as Walter Pirmin Sternjacob and Walter Stern, deceased, subject, however, to any lawful commission of the Treasurer in and for the County of Wayne, Michigan,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Maria Stern, Germany.

That such property is in the process of administration by the County Treasurer in and for the County of Wayne, Michigan, as Depositary, acting under the judicial super-

vision of the Probate Court for the County of Wayne, Detroit, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 19, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-1773; Filed, Jan. 30, 1945;  
10:56 a. m.]

[Vesting Order 4543]

CHARLES AHRENFELDT

In re: Trust created under the last will and testament of Charles Ahrenfeldt, deceased, for the benefit of Helene Julie Von Schierholz; File D-28-9389; E. T. sec. 12472.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Karl Hugo Wolfgang Von Schierholz and Helene Anne Charlotte Von Ernst, and each of them, in and to the trust created under the Last Will and Testament of Charles Ahrenfeldt, deceased, for the benefit of Helene Julie Von Schierholz,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*National and Last Known Address*

Karl Hugo Wolfgang Von Schierholz, Germany.

Helene Anne Charlotte Von Ernst, Germany.

That such property is in the process of administration by the Treasurer of the City of New York, as Depositary in the matter of the trust created under the Last Will and Testament of Charles Ahrenfeldt, deceased, for the benefit of Helene Julie Von Schierholz, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 23, 1945.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-1774; Filed, Jan. 30, 1945;  
10:57 a. m.]

[Vesting Order 4544]

JOHANNA FRIEDEMANN

In re: Mortgage Participation Certificate No. 168864, having a face value of \$119.71, in Mortgage #F-736, in the name of Johanna Friedemann and guaranteed by Bond and Mortgage Guaranty Company under Guarantee No. 170,874. Mortgage Participation Certificate No. 155251, having a face value of \$241.20, in

Mortgage #F-1122, in the name of Johanna Friedemann and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084, Mortgage Participation Certificate No. 155209, having a face value of \$251.56, in Mortgage #F-935, in the name of Johanna Friedemann and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453. File F-28-7641, E. T. sec. 1976.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Johanna Friedemann in and to the Mortgage Participation Certificate No. 168864, having a face value of \$119.71, in Mortgage #F-736, and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874,

All right, title, interest and claims of any kind or character whatsoever of Johanna Friedemann in and to the Mortgage Participation Certificate No. 155251, having a face value of \$251.20, in Mortgage #F-1122, and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084.

All right, title, interest and claim of any kind or character whatsoever of Johanna Friedemann in and to the Mortgage Participation Certificate No. 155209, having a face value of \$251.56, in Mortgage #F-935, and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

#### National and Last Known Address

Johanna Friedemann, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date here-

of, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 23, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-1775; Filed, Jan. 30, 1945;  
10:57 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 69 Under 2d Rev. Order A-3]

#### IDEAL SEATING CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188; It is ordered:

(a) *Manufacturer's maximum prices.* Ideal Seating Company, Grand Rapids, Michigan, for all sales and deliveries of the Challenger Line Chair, No. 10-S back, No. 31 seat, which it manufactures, may add the following adjustment charge to its maximum net ceiling price in effect immediately prior to the effective date of this order, resulting in an adjusted maximum price set forth below:

Maximum price	Adjustment charge	Adjusted maximum price
Each \$6.25	\$0.57	\$6.82

This adjustment charge may be made and collected only if separately stated on each invoice. The adjusted maximum price is subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale who handles the article described above, in the course of its distribution from the manufacturer to the user, may add to his properly established maximum price in effect immediately prior to the effective date of this order, the dollar and cents amount of the adjustment charge which he is required to pay the manufacturer. This adjustment charge may be made and collected only if it is separately stated on each invoice, except that it need not be separately stated in the case of sales to ultimate consumers. Such adjusted maximum prices are subject to the seller's customary terms, discounts, allowances and other price dif-

ferentials in effect during March 1942 for sales to each class of purchaser.

(c) *Notification.* Every purchaser who makes a sale or delivery to a purchaser for resale at an adjusted maximum price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

#### NOTICE OF OPA ADJUSTMENT

Order No. 69 Under Second Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect immediately prior to January 31, 1945, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice: *Provided*, That amount is separately stated on an invoice which contains this notice.

(d) *Profit and loss statement.* After the effective date of this order Ideal Seating Company shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within 30 days after the close of each quarter.

(e) All requests not granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1809; Filed, Jan. 30, 1945;  
11:53 a. m.]

[MPR 188, Order 3344]

#### PLAYCRAFT MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by the manufacturer, by jobber and by retailers, to the classes of purchasers specified below, the cigarette maker manufactured by Playcraft Manufacturing Company, 45-51 West Water Street, St. Paul, Minnesota, are those set forth below:

Article	Maximum price to jobbers	Maximum price to retailers	Maximum price to consumers
Cigarette roller...	Per doz. \$1.80	Per doz. \$2.40	Each \$0.35

These maximum prices are for the article described in the manufacturer's application dated December 22, 1944. Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment in ten days, net thirty days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser, in writing, of the maximum



prices and conditions established by this order for such resales.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1804; Filed, Jan. 30, 1945;  
11:57 a. m.]

[MPR 188, Order 3345]

#### ANCO PRODUCTS

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by the manufacturer, by jobber and by retailers, to the classes of purchaser specified below, of the cigarette maker manufactured by Anco Products, 803 West Ellsworth Street, Midland, Michigan, are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers	Maximum price to consumers
Jiffy roller cigarette roller.....	No. A	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the article described in the manufacturer's application dated December 19, 1944. Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment in ten days, net thirty days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser, in writing, of the maximum prices and conditions established by this order for such resales.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1805; Filed, Jan. 30, 1945;  
11:55 a. m.]

[MPR 188, Order 3346]

#### LYN BLAISDELL

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by the manufacturer, by jobber and by retailers, to the classes of purchasers specified below, of the cigarette maker manufactured by Lyn Blaisdell, 3221 Madison Street, Kalamazoo, Michigan, are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers	Maximum price to consumers
Cigarette roller.....	No. R-1...	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the article described in the manufacturer's application dated December 16, 1944. Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment in ten days, net thirty days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser, in writing, of the maximum prices and conditions established by this order for such resales.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1806; Filed, Jan. 30, 1945;  
11:55 a. m.]

[MPR 188, Order 3347]

#### J. T. MAHONEY CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by the manufacturer, by jobber and by retailers, to the classes of purchasers specified below, of the cigarette maker manufactured by J. T. Mahoney Company, 793 South Cleveland Avenue, St. Paul, Minnesota, are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers	Maximum price to consumers
Cigarette roller.....	Zip-Roll...	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the article described in the manufacturer's ap-

plication dated December 9, 1944. Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment in ten days, net thirty days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser, in writing, of the maximum prices and conditions established by this order for such resales.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1807; Filed, Jan. 30, 1945;  
11:55 a. m.]

[MPR 188, Order 3348]

#### HEBNER-MATTESON CO.

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) *Maximum prices.* The maximum prices for all sales and deliveries by the manufacturer, by jobber and by retailers, to the classes of purchasers specified below, of the cigarette maker manufactured by Hebner Matteson Company, 2219 North Street, Seattle 2, Washington, are those set forth below:

Article	Model	Maximum price to jobbers	Maximum price to retailers	Maximum price to consumers
Hard cigarette maker.	"Clig-Jig".	Per doz. \$1.89	Per doz. \$2.52	Each \$0.35

These maximum prices are for the article described in the manufacturer's application dated December 13, 1944. Sales by the manufacturer are f. o. b. factory, subject to a cash discount of 2% for payment in ten days, net thirty days. Sales by all other persons are subject to the seller's customary terms, discounts, allowances and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser, in writing, of the maximum prices and conditions established by this order for such resales.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 31st day of January 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-1808; Filed, Jan. 30, 1945;  
11:56 a. m.]

[MPR 260, Amdt. 1 to Order 83]

A. SENSENBRENNER SONS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

The maximum prices for Santa Fe Ambassador cigars set forth in paragraph (a) of Order No. 83 under Maximum Price Regulation 260 are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Santa Fe.....	Ambassador....	50	Per M \$154	Cents 20

This amendment shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1810; Filed, Jan. 30, 1945;  
11:54 a. m.]

[MPR 260, Amdt. 1 to Order 388]

MEDALIST CO., INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260; *It is ordered, That:*

The maximum prices for Medalist Sublime, Trovador #6 and Medalist Blue Label Panetela cigars set forth in paragraph (a) of Order No. 388 under Maximum Price Regulation No. 260 are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Medalist.....	Sublime.....	50	Per M \$115	Cents 16
Trovador.....	No. 6.....	50	105	14
Medalist Blue Label.	Panetela.....	50	105	14

This amendment shall become effective January 31, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-1811; Filed, Jan. 30, 1945;  
11:53 a. m.]

[MPR 260, Amdt. 1 to Order 427]

A. SENSENBRENNER SONS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to

§ 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

The maximum prices for Southern Pacific Plazas set forth in paragraph (a) of Order No. 427 under Maximum Price Regulation 260 are amended to read as follows:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Southern Pacific.	Plazas.....	50	Per M \$134	Cents 2 for 35

This amendment shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 45-1812; Filed, Jan. 30, 1945;  
11:54 a. m.]

[MPR 260, Order 558]

WALDO SALAS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Waldo Salas, 2302 16th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Waldo Salas.	Blunts.....	50	Per M \$44	Cents 2 for 11
	Waldo Straights.....	50	60	2 for 15
	Churchill.....	50	169	22
	Panetelas Long	50	164	20
	Filler.			

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a

brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1813; Filed, Jan. 30, 1945;  
11:52 a. m.]

[MPR 260, Order 559]

SPARTAN CIGAR, INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Spartan Cigar, Inc., 600 Whitaker Avenue, Trenton 10, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Spartan.....	Cabinets.....	50	Per M \$82.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same price class to pur-

chasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1814; Filed, Jan. 30, 1945;  
11:57 a. m.]

[MPR 260, Order 560]

#### NATIONAL CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) National Cigar Factory, 2403 15th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

mum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
National Cigar	Espadales	20	Per M \$43	Cents 6
	Panetelas No. 6	20	40	5
	Reinas	20	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1815; Filed, Jan. 30, 1945;  
11:58 a. m.]

[MPR 260, Order 561]

#### OVER THERE CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Over There Cigar Factory, 1409 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Liberty	Cadetes	20	Per M	Cents 7
	Over There	20	40	2 for 15
	Espadas	20	40	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 20.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1816; Filed, Jan. 30, 1945;  
11:59 a. m.]

[MPR 260, Order 562]

ROBERT P GONZALEZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Robert P. Gonzalez, 2004 Mitchell Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Viceroy	Coronas deLuxe	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-

low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1817; Filed, Jan. 30, 1945;  
11:57 a. m.]

[MPR 260, Order 563]

J. DITZ & SONS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) J. Ditz & Sons, 415 South 12th Street, Saginaw 7, Mich. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Country Gentleman	Senior..... Junior.....	50 50	Per M \$72 64	Cents 9 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March

1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context, otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1818; Filed, Jan. 30, 1945;  
11:52 a. m.]

[MPR 260, Order 564]

DALIA CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Dalia Cigar Factory, 1320 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Coloso.....	Petit Cetros ..	50	Per M \$20.00	2 for 15
	Panelitas.....	50	138.00	18
	Media Brevia.	50	66.25	3 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

No. 23—5

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1819; Filed, Jan. 30, 1945;  
11:54 a. m.]

[MPR 260, Order 565]

#### VALDES MEDERO CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Valdes Medero Cigar Factory, 2714 Green Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
S. P. M.....	Corona.....	50	Per M \$24	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1820; Filed, Jan. 30, 1945;  
11:53 a. m.]

[MPR 260, Order 563]

#### LUCKY STAR CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Lucky Star Cigar Factory, 1212 25th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lucky Star.....	Corona.....	50	Per M \$20	Cents 26 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials al-



lowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January, 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1821; Filed, Jan. 30, 1945;  
11:59 a. m.]

[MPR 260, Order 567]

CHARLES J. RIVERA

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Charles J. Rivera, 1208 E. Columbus Drive, Tampa 5, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Sulle-----	Selectos-----	50	Per M \$154	Cents 20
	Coronas-----	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1822; Filed, Jan. 30, 1945;  
11:59 a. m.]

[MPR 260, Order 568]

BURG CIGAR Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Burg Cigar Company, East Prospect, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Granson-----	Queens-----	50	Per M \$44	Cents 2 for 11
La King-----	do-----	50	44	2 for 11
Hav-a-boy-----	DeLuxe-----	50	48	6
El Nado-----	do-----	50	48	6
Alvany & Lo-----	do-----	50	48	6
Fez-----	do-----	50	48	6
B & B-----	do-----	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.



(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1823; Filed, Jan. 30, 1945;  
12:00 m.]

[MPR 260, Order 569]

LA LLAVE CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) La Llave Cigar Factory, 2306—18th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tampa Key	Cadets.....	50	Per M \$48	Cents 6
	Corona Segunda...	50	58	7
	Londres Grande...	50	64	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars

of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1824; Filed, Jan. 30, 1945;  
11:57 a. m.]

[MPR 260, Order 570]

PACKER BROTHERS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Packer Brothers, 118 W. 47th St., New York 19, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Partagas.....	Corona Chicos.....	25	Per M \$30.75	Cents 33

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars

of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1825; Filed, Jan. 30, 1945;  
11:54 a. m.]

[MPR 260, Order 571]

JULIO GALLO

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Julio Gallo, 2402 13th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Volturno.....	Coronas de Luxo...	50	Per M \$43	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of

domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1826; Filed, Jan. 30, 1945;  
11:53 a. m.]

[MPR 260, Order 572]

STAR CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Star Cigar Company, 2105 19th Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and

retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Star-----	Palmas-----	50	Per M \$138	Cents 18
	Queens-----	50	154	20
	Londres Segundo	50	123	16
	Brevas-----	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 45-1827; Filed, Jan. 30, 1945;  
11:58 a. m.]

[MPR 260, Order 573]

ISIDORE HALPERN

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended: *It is ordered*, That:

(a) Isidore Halpern, 1864 77th St., Brooklyn, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Flor De Gavilla.	Victoria Corona....	25	Per M 202.50	Cents 35
	Gloria Corona.....	25	242.00	33
	Londres.....	25	101.50	20

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (ex-

cept a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-1828; Filed, Jan. 30, 1945;  
11:55 a. m.]

[MPR 260, Order 574]

W. J. STECKBECK AND SONS CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) W. J. Steckbeck and Sons Cigar Company, 2217 S. Lafayette Street, Fort Wayne 5, Ind. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Charmer.....	Royal.....	50	Per M \$101.25	Cents 2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a

brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-1829; Filed, Jan. 30, 1945;  
11:56 a. m.]

[MPR 260, Order 575]

HARRY F. BOWMAN

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Harry F. Bowman, Seven Valleys, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bowman's Best..	Special Selection.	10	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic

cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-1830; Filed, Jan. 30, 1945;  
11:56 a. m.]

[MPR 260, Order 576]

FABER, COE & GREGG, INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered, That:*

(a) Faber, Coe & Gregg, Inc., 206 W. 40th St., New York, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or

receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Cabanas.....	Dianas.....	50	Per M \$203.50	Cents 28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective January 31, 1945.

Issued this 30th day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-1831; Filed, Jan. 30, 1945; 12:00 m.]

[MPR 424, Order 1]

# TIGHT COOPERAGE STOCK AND SAWED TIGHT COOPERAGE

## ADJUSTMENT OF MAXIMUM PRICES

A study of the production costs of bourbon whiskey staves and heading for 24 mills has been completed by this Office, and the results were presented tentatively to the Tight Cooperage Industry Advisory Committee. However, the Committee has recommended that final action by this Office be held in abeyance and that additional data be obtained. Pending the receipt and analysis of such data to determine whether the increase indicated above or any other price action is necessary, this adjustable pricing order for sales of bourbon staves, heading, and barrels is issued to promote production and distribution of bourbon whiskey staves and heading in order to secure essential supply of bourbon whiskey barrels. Price action on bourbon barrels shall be independent of any action taken on bourbon staves and heading.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, by Executive Orders 9250 and 9328, and pursuant to section 11 of Maximum Price Regulation 424, *It is ordered:*

(a) Producers of white oak bourbon whiskey staves and tight sap #1 staves over 30" through 36" in length, and of white oak bourbon whiskey heading and tight sap #1 heading over 19" through 21" in diameter, and coopers of the barrels made of these staves and heading may sell and deliver and any person may buy and receive these staves, heading and barrels subject to Maximum Price Regulation 424 at prices not over the prevailing ceiling at the time of delivery. Producers and purchasers may agree that prices may be adjusted on all deliveries of these staves, heading and barrels after the effective date of this order in accordance with any action which may be taken by the Office of Price Administration to adjust the present prices for these items.

(b) This order is effective until the establishment of maximum prices for the above specified staves, heading, and barrels different from those now prevailing, or until it is specifically revoked or amended by the Administrator.

(c) This order shall become effective January 31, 1945.

Issued this 31st day of January 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-1868; Filed, Jan. 31, 1945; 11:40 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-38, 54-84]

UNITED PUBLIC UTILITIES CORP., ET AL.

ORDER APPROVING PLAN, PERMITTING DECLARATION TO BECOME EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 29th day of January A. D. 1945.

In the matter of United Public Utilities Corporation, and its subsidiary companies, respondents, File No. 59-38; United Public Utilities Corporation, File No. 54-84.

The Commission having, by order dated March 4, 1942, directed, among other things, that United Public Utilities Corporation ("UPU"), a registered holding company, divest itself of all its interest in Fort Smith Gas Company ("Fort Smith") and Southern Gas Producing Company ("Southern"), subsidiaries of UPU, and said order having provided that the respondents should make application to the Commission for the entry of such further orders as might be necessary or appropriate for the purpose of carrying out the provisions of the above-mentioned order; and

UPU having filed a declaration-application pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the rules and regulations of the Commission promulgated thereunder, proposing a plan for the sale of UPU's interest in Fort Smith and in Southern, the payment by Fort Smith of its note indebtedness to UPU, and the application by UPU of the proceeds from such transactions and of additional treasury cash to the purchase or redemption of a portion of its outstanding bonds; and requesting that the Commission enter an order approving such plan, and that said order of the Commission conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (b), 371 (d), 371 (f) and 1808 (f) thereof, and contain the recitals and specifications therein set forth; and

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found that said plan is necessary to effectuate the provisions of section 11 (b) of said act, and is fair and equitable to the persons affected thereby;

*It is ordered,* That said plan be and the same hereby is approved, and that said application-declaration be and the same hereby is granted and permitted to become effective subject to the terms and conditions prescribed in Rule U-24 and to the following additional condition with respect to the proposed purchase of bonds of UPU in the market:

(1) That UPU shall furnish to the Commission promptly after the last day of each month a schedule showing the number of bonds purchased, the date purchased, the prices at which purchased and the name of the broker through whom purchased.

*It is further ordered,* That the sale by UPU of the capital stock of Fort Smith, consisting of 11,250 shares of no par value common stock, and of the capital stock of Southern, consisting of 500 shares of no par value common stock, and that the payment to UPU by Fort Smith of its 6% Demand Note in the principal amount of \$104,531 are necessary or appropriate to effectuate the

provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-1833; Filed, Jan. 30, 1945;  
3:47 p. m.]

[File No. 811-250]

#### PHOENIX SECURITIES CORP.

##### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of January A. D. 1945.

An application having been filed by Phoenix Securities Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

*It is ordered*, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on February 9, 1945 at 10:00 o'clock a. m., Eastern War Time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

*It is further ordered*, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-1834; Filed, Jan. 30, 1945;  
3:47 p. m.]

[File No. 70-999]

#### INTERNATIONAL UTILITIES CORP.

##### AMENDED NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of January, A. D. 1945.

Notice is hereby given that an amendment to an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation, a registered holding company.

Notice is further given that any interested person may, not later than Feb-

ruary 8, 1945 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as amended, or as further amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said amended application or declaration, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

International Utilities Corporation has filed an amendment to its application or declaration (or both) previously filed regarding the purchase of 4,200 shares of its \$3.50 Preferred Stock, \$50 par value (Holding Company Act Release No. 5488). By such amendment, International Utilities Corporation proposes, in lieu of said purchase of 4,200 shares, to redeem 30,000 shares of the 92,812.3 shares of its \$3.50 Preferred Stock outstanding at the redemption price of \$52.50 per share plus accrued dividends to the date of redemption. The amendment states that the terms of the Certificate of Incorporation provide, as to redemption of all or any part of the \$3.50 Preferred Stock, that the shares to be redeemed shall be selected by lot not more than ten days prior to the date of the notice of redemption. The amendment further states that the terms of redemption provide that the notice of redemption shall be given not less than thirty days nor more than sixty days previous to the date fixed for redemption to each stockholder whose shares shall have been selected for redemption.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-1861; Filed, Jan. 31, 1945;  
11:22 a. m.]

[File Nos. 54-65, 59-6, 70-658]

#### UNITED GAS IMPROVEMENT CO., ET AL.

##### ORDER APPROVING AND DISAPPROVING FEES

In the matters of The United Gas Improvement Company, File No. 54-65; The United Gas Improvement Company and subsidiary companies, Respondents, File No. 59-6; Philadelphia Electric Company, File No. 70-658.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of January, A. D. 1945.

The Commission having, in orders of March 18, 1943 and December 28, 1943, reserved jurisdiction to approve or disapprove claims for fees and expenses in

connection with certain plans approved in the said orders, claims for fees and expenses having been made by Morgan, Lewis & Bockius in respect of legal services rendered in connection with the said plans and by Drexel & Co. in connection with services as financial adviser and fiscal agent with respect to preparation and consummation of the said plans, and in addition a claim for fees on behalf of Victor Frey, Frey and Campbell, and Sidney C. Orlofsky having been made, a hearing having been held after due notice, briefs having been filed, exchanged and considered, the Commission being duly advised in the premises and having this day issued its findings and opinion herein, on the basis of the said findings and opinion.

*It is ordered*, (1) That payment to Morgan, Lewis & Bockius for fees and expenses in respect of services in connection with the above mentioned plans be, and the same hereby is, approved to the extent of sixty thousand dollars (\$60,000);

(2) That payment to Drexel & Co. for fees and expenses in respect of services rendered in connection with the preparation and consummation of the said plans be, and the same hereby is, approved to the extent of one hundred thousand, one hundred eighty-three dollars and thirty-four cents (\$100,183.34); and

(3) No payment is hereby approved on behalf of Victor Frey, or Frey and Campbell, or Sidney C. Orlofsky.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-1859; Filed, Jan. 31, 1945;  
11:22 a. m.]

[File No. 70-1023]

#### NORTHERN PENNSYLVANIA POWER CO.

##### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of January 1945.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern Pennsylvania Power Company (Northern), a subsidiary of NY PA NJ Utilities Company, a registered holding company which in turn is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (Agecorp), also a registered holding company. All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

Northern proposes to issue and sell \$4,000,000 principal amount of its First Mortgage Bonds, due 1975 (hereinafter called the New Bonds).

Pursuant to the provisions of Rule U-50 of the general rules and regulations under the act, Northern will publicly in-



vite proposals for the purchase of the New Bonds, the interest rate of the New Bonds to be determined in accordance with the provisions of the accepted bid.

The net proceeds from the sale of said \$4,000,000 principal amount of New Bonds, together with such amounts from the general funds of Northern as may be required, will be applied to the re-

demption of the securities described below, which constitute the entire funded debt of Northern, and to the deposit with the Trustee under the Mortgage securing the New Bonds of \$358,500, to be withdrawn by Northern for new construction or to be used by the Trustee for retirement of New Bonds as provided in the mortgage:

Security	Principal amount to be redeemed	Redemption price	Aggregate redemption price	To be redeemed not later than
First and refunding mortgage bonds: Series A, 5 percent, due June 1, 1950..... 5 percent series, due Apr. 15, 1962.....	\$1,360,000 2,080,000	Percent 102½ 105	\$1,404,147.50 2,191,080.00	June 1, 1945, 30 days after issuance and sale of the new bonds.
Divisional lien: Bayre Electric Co., first mortgage, 40-year, 5 percent bonds, due Apr. 1, 1947.....	182,000	105	191,100.00	Apr. 1, 1945.
	3,641,500	.....	3,789,327.50	

All of the above bonds to be redeemed are held by the public with the exception of \$126,000 principal amount of such bonds which are held by Dover Casualty Insurance Company, a subsidiary of Agecorp.

In connection with the proposed refinancing Northern proposes to establish a reserve of \$760,000 for the purpose of absorbing such write-off as may be lawfully required by regulatory authorities, of amounts in excess of original cost of electric property, plant and equipment, and a reserve of \$115,000 for the purpose of absorbing such write-down of other property, plant and equipment and of investments in securities of and advances to subsidiary and affiliated companies as may be deemed appropriate by the management. Northern further proposes, in the event of and contingent upon the consummation of the proposed refinancing, to charge earned surplus with unamortized debt discount and expense, and the call premium on the bonds proposed to be redeemed.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective nor said application granted except pursuant to further order of this Commission:

*It is ordered*, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on February 20, 1945, at 10:30 a. m., c. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Any person desiring to be heard in such proceeding shall file with the Commission, on or before February 15, 1945, his request therefor as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered*, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that

purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That, without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed issue and sale of New Bonds by Northern are solely for the purpose of financing its business, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith;

2. The propriety of the proposed accounting treatment of the several transactions on the books of Northern;

3. Whether the redemption of bonds held by Dover Casualty Insurance Company satisfies the provisions of section 12 (f) of the act;

4. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount;

5. Whether the proposed transactions are in the public interest and the interest of investors and consumers and in conformity with the applicable provisions of the act and the rules promulgated thereunder.

*It is further ordered*, That notice of such hearing be given to the applicant-declarant, and to all other interested persons; said notice to be given to applicant-declarant by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission,

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-1862: Filed, Jan. 31, 1945;  
11:22 a. m.]

[File No. 70-984]

CAPITAL TRANSIT CO.

SUPPLEMENTAL ORDER FOR FILING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of January 1945.

Capital Transit Company, a subsidiary company of Washington Railway and Electric Company, a registered holding company, which is in turn a subsidiary company of The North American Company, also a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, seeking an exemption from the provisions of sections 6 (a) and 7 of the act, of the issue and sale, pursuant to the competitive bidding provisions of Rule U-50 promulgated under such act, of \$12,500,000 aggregate principal amount of First and Refunding Mortgage Bonds, Series A, 4%, due December 1, 1964; and an unsecured bank loan in the principal amount of \$2,500,000 with interest at 2.85% per annum payable in equal semiannual installments over five years;

The Commission by its order of December 9, 1944, having granted said application, as amended, subject to the condition that the proposed issue and sale of said bonds should not be consummated until the results of competitive bidding pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order entered in the light of the record so completed, and having reserved jurisdiction over the price to be paid to the company for such bonds, the underwriters' spread and its allocation and the legal fees and the fees of the financial adviser; and

Capital Transit Company having subsequently filed an amendment to the application, setting forth the action taken to comply with Rule U-20 and showing that, pursuant to the invitation for competitive bids, only one bid of 97½ to the company, plus accrued interest from December 1, 1944, with an underwriters' spread of 2½ points was received from a group of underwriters headed jointly by Alex. Brown & Sons, The First Boston Corporation, Kidder, Peabody & Co., Harriman Ripley & Co., Incorporated, Merrill, Lynch, Pierce, Fenner & Beane, and Folger, Nolan Incorporated; said amendment having further stated that Capital Transit Company had accepted said bid; a further hearing to consider said matters having been held; and

The Commission having examined said amendment and considered the record with respect thereto, and not having released the jurisdiction reserved, as aforesaid, because the Commission was unable to make certain necessary findings with respect to the matters on which jurisdiction had been reserved, all as set forth in a statement issued by the Commission on December 20, 1944 (Holding Company Act Release No. 5510); and

Capital Transit Company having filed a further amendment requesting approval of the issue and sale of said bonds



on the basis of an amended bid by the same group of underwriters at a price of 98½ to the company, plus accrued interest from December 1, 1944, with an underwriters' spread of 1½ points, the company to reimburse the purchasers for the fees allowed to the extent of not exceeding \$20,000 and the expenses of counsel for the purchasers, the bonds to be offered to the public at a price of 100 plus accrued interest; and

The Commission having further considered said application as amended and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for said bonds, the underwriters' spread and its allocation;

It is ordered, That the jurisdiction reserved with respect to the price, underwriters' spread and its allocation be and the same is hereby released, and said application, as amended, be and the same is hereby granted, subject to the terms and conditions prescribed in Rule U-24, jurisdiction being reserved with respect to all legal fees and the fees of the financial adviser.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P. R. Doc. 45-1860; Filed, Jan. 31, 1945;  
11:22 a. m.]

#### WAR FOOD ADMINISTRATION.

##### Office of Marketing Services.

#### HANDLING OF MILK IN NEW YORK METROPOLITAN MARKETING AREA

##### NOTICE OF PROPOSED AMENDMENTS

Notice of report and opportunity to file written exceptions on proposed amendments to the order (No. 27), as amended, and to a proposed marketing agreement, regulating the handling of milk in the New York metropolitan milk marketing area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of the filing of this report of the Director of Marketing Services with respect to proposed amendments to the order, as amended, and to a marketing agreement, regulating the handling of milk in the New York metropolitan milk marketing area, to be made effective under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 et seq.). Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington 25, D. C., not later than the close of business of the 15th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Distribution (now Office of Marketing Services) through the issuance on July 14, 1944 of a notice of hearing (9 F.R. 8099). Pursuant to such notice, the hearing was convened in New York City on August 15, 1944, and recessed on August 17, 1944. Thereafter, pursuant to notice

issued on September 4, 1944 (9 F.R. 10940), the hearing was resumed on September 20, 1944, and, pursuant to a further notice issued on December 4, 1944 (9 F.R. 14351), was again resumed on December 20, 1944.

The proposed amendments as contained in the July 14, 1944 notice of hearing were prepared in the form in which they would appear in an amended order for the purpose of facilitating orderly consideration of a rather large number and variety of proposed amendments previously made by handlers and producers and which were incorporated or reflected in the notice of hearing. Pursuant to the notice of July 14, 1944, the August 15, 1944 hearing was open for the taking of evidence on amendments to virtually all provisions of the order, except the level of marketing area fluid milk and fluid cream prices; the definition of the marketing area; the location differentials; and cooperative payments. In order to provide further opportunity for handlers and producers to study the proposed amendments, and to prepare evidence after an explanatory statement presented at the hearing by a representative of the Dairy and Poultry Branch, the hearing was recessed on August 17 and was resumed on September 20, 1944.

The hearing as resumed on September 20, 1944 and as again resumed on December 20, 1944, however, was limited to a consideration of only a certain portion of the proposed amendments contained in the July 14, 1944 notice of hearing. The issues discussed in these resumed sessions of the hearing related to: (1) An allocation program to meet a shortage of fluid milk for the marketing area; (2) increasing the butterfat differential used in payments to producers; (3) determining which plants are to be included in the equalization pool and the reports of handlers and payments on milk received at non-pool plants; (4) the basis for the classification of milk, including methods and standards to be followed in determining the plant at which milk shall be classified in accounting for milk and in accounting for and classifying plant loss; and the issuance by the market administrator of rules and regulations incident to the accounting for and the classification of milk; (5) changes in class prices and class definitions for milk, the butterfat from which is used for evaporated milk, milk powder, malted milk powder, the frozen desserts or mix now in Class II-F and all products now classified and priced in Classes II-B and II-C; and (6) the inclusion in Class III of milk utilized in ice cream powder.

This report is concerned only with the foregoing issues. A report on other issues opened for consideration in the July 14, 1944 notice of hearing will be made only after further opportunity for hearing has been provided.

**Explanation and conclusions.** 1. No provision should be included for allocation of milk between handlers. The hearing record does not clearly show the necessity for such a program, particularly in view of the prospect of correction, through other provisions, of the conditions which the allocation program was designed to correct.

2. The present flat rate of 4 cents per one tenth of one percent of butterfat used in paying producers should be changed to an average of the class price butterfat differentials weighted by the pounds of butterfat in each class, such differential to be computed to the nearest even tenth of a cent. Such a change should result in a butterfat differential somewhat higher than the present differential and should be responsive to changes in the average market value of butterfat.

3. The method of determining pool plants, in reality a method of determining what farmers are to receive the fixed minimum prices, should be changed from the present method, which includes in the pool all plants approved by any health authority for the receiving of milk to be sold in the marketing area, to a method under which pool plants are those plants designated as such by the War Food Administrator either on the basis of constituting a reserve supply of milk, or on the basis of actual shipment of fluid milk to the marketing area. The method of determining pool plants should be based on, and designed to give effect to, the basic principles, as reflected by the evidence in the record, that (1) there should be included in the pool all milk constituting the total supply produced for the marketing area, including that milk actually shipped to the market and also the necessary reserve supply; (2) handlers who receive equalization payments under the classified price and market-wide pooling system have an obligation to supply the market with fluid milk when needed; (3) under any method of determining pool plants the rights of handlers and producers must be adequately protected; and (4) the problem of determining pool plants is affected with economic considerations and that such considerations should be appraised in developing the proper solution.

It is concluded that there is justification for the inclusion, at the beginning of such a change in the marketing program, of all of the plants currently included in the pool under the present order; but provision should be made for the subsequent inclusion of those plants which either constitute a reserve supply or actually ship fluid milk to the marketing area. The obligation of a handler who receives equalization payments to supply the market with milk should be recognized in a requirement that he keep his milk available for the market by maintaining strict sanitary control over his plant and the farms on which the milk is produced, and that he actually supply the market with milk in times of short supply. The rights of handlers should be protected by providing for the inclusion in the pool, on the basis of shipments, of any plant, regardless of location or previous connection with the market, and for designation as a pool plant, on a reserve basis, upon assumption by the operator of the plant of specified obligations as to the availability of his milk. No plant (except temporarily at the outset) should be classified as a pool plant, on the reserve plant basis, unless application is made by the handler; and the

operator of any plant should have the right to withdraw that plant from the pool at any time during the months of April, May, June, and July, of any year. Certain minimum requirements should be established for supplying milk to the market, which, if met by the handler, would give him definite assurance of continued pool participation. Producers' interests should be protected by providing for notice to them by the handler prior to his withdrawal of a plant from the pool and by the market administrator prior to the suspension of a pool plant designation.

It is recommended that no broad discretionary authority should be given to the market administrator to suspend pool plant designations. The responsibility for final determination of such a question should be left with the War Food Administrator, and provision should be made for giving the handler an opportunity to be heard on whether he has met the requirements of a pool plant operator before final action is taken.

4. Associated with the pool plant provisions, there should be included a provision which would require handlers to pay into the equalization pool for milk and certain milk products received at a plant, or delivered to a purchaser, in the marketing area, which milk was received from other than producer sources. Such a provision should specify the handler responsible for, and the amount of such payments. The amount of payment in each case should recognize the necessity of preventing extreme inequality in the cost of milk as between handlers with accompanying loss of market for producer's milk, and the ability of handlers to acquire full pool participation upon shipment to the marketing area of specified minimum quantities of milk.

5. The basis of classification should be changed to more specifically set forth the plant at which classification shall be determined. Provision should be made to extend, from 8 days to an entire month after the end of the month during which milk is received from farmers, the time allowed for establishing the classification of milk. The market administrator should be given authority to determine allowances for plant loss, not to exceed 5 percent of the butterfat in the product resulting from any specific plant operation and such allowances should constitute a part of the rules and regulations to be issued by the market administrator. In addition, provision should be made which will authorize the formulation by the market administrator of the accounting procedure incident to the classification of milk, including conversion factors to be used in the absence of specific weights and tests, and definitions of products and the principles governing the accounting procedure to be followed by the market administrator should be established.

6. A provision should be included which will specify the procedure to be followed by the market administrator in the issuance of rules and regulations incident to the classification of milk. Such procedure should provide for giving handlers an opportunity to participate in the formulation of rules and regulations and

should require approval by the War Food Administrator of all rules and regulations so issued. In order to provide for necessary rules and regulations between the effective date of such proposed amendments and the effective date of the first rules and regulations issued pursuant to the specified procedure, the issuance of temporary rules and regulations should be authorized. Provision should also be made for the issuance of such temporary rules and regulations upon a finding by the War Food Administrator that the absence of a rule during the time required to follow the specified procedure would constitute an emergency.

7. The evidence in the record does not justify a change at this time in the price of milk utilized in evaporated milk, milk powder, or malted milk powder, or in the price of milk utilized in Classes II-C and II-F.

8. The Class II-B price should be reduced 13 cents during the months of August through February and 18 cents during the months of March through July, in order to be more nearly competitive with other ice cream prices and to provide adequate seasonal variation to permit necessary storage of cream during the flush season for use during the short season. Provision should be made in the formula for a minimum Class II-B price of not less than the Class II-C price or the Class II-D price less 5.5 cents, in order to avoid a Class II-B price lower than competitive cream prices.

9. The Class II-B, Class II-D, Class II-E, and Class II-F definitions should be revised to provide for the classification, and consequently the pricing, of milk utilized in plain condensed milk, on the same basis as milk utilized in ice cream.

10. The Class III definition should be changed so as to include ice cream powder.

11. The definition of Class I milk should be changed (1) by substituting therefor, without change in effect, definitions of Class I-A, I-B, and I-C milk, with related changes in the pricing provisions for Class I milk, in order to facilitate reference to the three price categories of Class I milk as now defined; and (2) by deletion of that portion of the definition which relates to the handling of plant loss.

12. The definitions of "producer" and "handler" should be revised, and new definitions of "dairy farmer," "plant," and "pool plant," should be included, all in recognition of the recommended pool plant amendment.

13. The provision providing for reports by handlers should specifically indicate those handlers required to submit regular monthly reports, those handlers from which other reports may be required by the market administrator, and the information to be contained in such reports.

14. Provision should be made for the inclusion in the computation of the uniform price of payments on milk received from other than producer sources.

15. For the purpose of preserving the proper correlation of the various provisions of the order, other necessary changes should be made throughout the order to effectuate the changes recommended.

**Proposed amendments.** The following amendments are set forth as the detailed means by which the foregoing recommended changes may be carried out. A proposed marketing agreement is not included in this report because the recommended provisions thereof would be the same as the provisions in the order, as amended and as recommended to be amended.

I. Amend § 927.1 as follows:

1. Amend paragraph (b) to read:

(b) "Secretary" means the Secretary of Agriculture, or the War Food Administrator, or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

2. Add new paragraph (e) to read:

(e) "Dairy farmer" means any person who produces milk.

3. Change paragraph (e) to (f) and amend to read:

(f) "Producer" means any dairy farmer whose milk is delivered direct from farm to a pool plant.

4. Change paragraph (f) to (g) and amend to read:

(g) "Handler" means (1) any person who engages in the handling of milk, or products therefrom, which milk was received at a pool plant, or at a plant approved by any health authority as a source of milk for the marketing area, (2) any person who engages in the handling of milk, cultured or flavored milk drinks, cream, or skim milk, all or a portion of which is shipped to, or received in, the marketing area, or (3) any cooperative association of dairy farmers with respect to any milk which it causes to be delivered for its own account direct from farms to a plant of any other handler at which plant the handling of milk is subject to regulation hereunder.

5. Renumber paragraphs (g), (h), and (i) as paragraphs (k), (l), and (m), respectively, and add new paragraphs (h) and (j) as follows:

(h) "Plant" means the land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products as determined by the market administrator pursuant to § 927.2 (b) (10).

(j) "Pool plant" means any plant which is designated as a pool plant pursuant to § 927.3.

II. Amend § 927.2 as follows:

1. Change paragraph (c) to read:

(c) **Powers.** The market administrator shall have the following powers:

(1) To administer the terms and provisions hereof;

(2) To make rules and regulations to effectuate the terms and provisions hereof; and

(3) To receive, investigate, and report to the Secretary complaints of violations of this order.

2. Change subparagraph (d) (5) by changing the first section reference from "927.5 (a)" to "927.6" and the second section reference from "927.7" to "927.8."

3. Change subparagraph (d) (8) by changing the section reference from "927.8" to "927.9."

4. Change subparagraph (e) (1) by changing the words "Class I" to "Class I-A," and the section reference from "927.4 (a)" to "927.5 (a)."

5. Change subparagraph (e) (2) to read:

(2) Not later than the 5th day of each month, the prices for all other classes, pursuant to § 927.5 (a), and the differentials, pursuant to §§ 927.5 (b) and 927.7 (c), in effect for the preceding month; and.

6. Change subparagraph (e) (3) by changing the section reference from "927.6 (b)" to "927.7 (b)."

III. Add a new § 927.3 as follows:

§ 927.3 *Pool plants.* A plant shall be designated as a pool plant pursuant to either (a) or (b) of this section.

(a) *Reserve plants.*—(1) *Carryover designation.* Any plant for which the report of milk received from dairy farmers was used in the computation of the uniform price for November 1944 is hereby designated as a pool plant from the effective date hereof until such designation is cancelled pursuant to (4) of this paragraph.

(2) *Designation upon application.*—(i) *Eligible applicants.* Any person who operates a plant which is located in New York State, Vermont, Massachusetts, Connecticut, New Jersey, or Pennsylvania and which is either approved as a source of milk by a health authority in the marketing area at the time of application and under the sanitary supervision of such authority, or was a pool plant during the preceding October, November, and December, may apply to the Secretary prior to July 1 of any year to have such plant designated as a pool plant: *Provided,* That if milk is delivered at such plant by dairy farmers for the account of a cooperative association which does not operate the plant, an application must be made by such cooperative association as well as by the person operating the plant. Applications shall be filed at the office of the market administrator.

(ii) *Designation.* Any plant for which an application has been made pursuant to (i) hereof shall be designated as a pool plant upon determination by the Secretary that the requirements of (3) of this paragraph have been met. Such designation shall be effective as of August 1 following the date of application and until cancelled pursuant to (4) of this paragraph.

If, based upon the information contained in an application pursuant to (i) hereof, the Secretary determines that the requirements of (3) of this paragraph have not been met, the applicant or applicants shall be so notified. Within 15 days after receipt of such notice, the applicant or applicants may submit additional information and request further consideration.

In the event that the Secretary makes no determination prior to August 1 following the date of application, the application may, prior to September 1, be withdrawn by written request of the applicant or applicants. If the application

is not so withdrawn, the plant shall be treated as a pool plant as of August 1: *Provided,* That all payments into or out of the producer-settlement fund (except such payments which are made on the basis of operations during a month in which the plant meets the requirements of (b) of this section) shall be held in reserve by the market administrator until a determination is made.

(3) *Requirements.* In order to qualify as a pool plant pursuant to this paragraph, the person operating the plant shall meet each of the following requirements: (i) be willing to ship to the marketing area milk received at the plant from dairy farmers; (ii) keep such control over the sanitary conditions under which milk received at the plant is produced and handled that the plant can meet the requirements of a source of milk for the marketing area, except that a temporary infraction, for a period of not more than 15 days, of the sanitary regulations governing the shipment of milk into the marketing area shall not constitute failure to meet this requirement; (iii) have no commitments for disposition of milk that prevent him from shipping to the marketing area all milk received from dairy farmers at the plant.

(4) *Suspension and cancellation of designation.* The designation of a pool plant pursuant to this paragraph may be suspended or cancelled under any of the following provisions: (i) the designation shall be cancelled upon application to the market administrator by the handler operating the plant effective at any time during the months of April through July of any year but not sooner than 30 days after receipt of such application: *Provided,* That such applications for cancellation shall be accompanied by proof that the handler, if not a cooperative association qualified pursuant to § 927.8 (d), has notified producers delivering to such plant, either individually or through the qualified cooperative association of which they are members, of his intention to make such application: *Provided further,* That if milk is received at the plant from producers for the account of a cooperative association which does not operate the plant, an application must be made by such cooperative association as well as by the handler operating the plant; (ii) the designation of any plant which on June 15 of any year is not approved by a health authority as a source of milk for the marketing area shall be automatically cancelled effective on August 1 of such year unless the absence of such approval is a temporary condition covering a period of not more than 15 days. This provision does not prevent a handler from applying, pursuant to (2) of this paragraph, for a new designation effective on August 1 of the same year; (iii) the designation of any plant shall be suspended, effective no sooner than 10 days nor later than 20 days after notice to the handler by registered mail, whenever the market administrator subject to the limitations set forth in (iv) hereof finds on the basis of available information that the handler operating the plant is not meeting the requirements set forth in (3) of this paragraph: *Pro-*

*vided,* That if the handler operating the plant is not a cooperative association qualified pursuant to § 927.8 (d) the market administrator shall also notify producers delivering to such plant, either individually or through the qualified cooperative association of which they are members, of such suspension of designation.

Not later than 30 days after the effective date of suspension of designation pursuant to this subparagraph the handler operating the plant may apply to the Secretary for a review. If the handler fails to so petition for such review, the designation of the plant as a pool plant shall be cancelled as of the effective date of the suspension. If the handler does so apply, the Secretary shall, after review, either determine that the requirements pursuant to (3) of this paragraph have not been met and order the designation cancelled as of the effective date of the suspension, or, determine that such requirements have been met and order the suspension revoked.

Beginning with the effective date of a suspension pursuant to this subparagraph and until the Secretary has either ordered the designation cancelled or ordered the suspension revoked, the plant shall be treated as a pool plant: *Provided,* That all payments into or out of the producer-settlement fund (except such payments on the basis of operations during a month in which the plant meets the requirements of (b) of this section) shall be held in reserve by the market administrator until an order is issued by the Secretary; (iv) suspension for failure to meet the requirements of (3) (i) of this paragraph shall be made effective only as of a date in the months of August through December, or during a month for which the Secretary has declared an emergency to exist in the supplying of milk to the marketing area.

No pool plant designation shall be cancelled for failure to meet the requirements of (3) (i) of this paragraph if the handler operating the plant utilized at least 75 percent of the milk he received from producers at all pool plants, during the month in which the suspension by the market administrator was made effective, in Classes I-A, II-A, II-B (except cold storage cream) and I-C ultimately distributed in the special cream area, Pennsylvania, or Fairfield County, Connecticut: *Provided,* That the quantity of such Class I-C milk to be used in computing such percentage utilization shall not exceed 50 percent of the milk received by the handler from producers. The percentage requirement for the utilization of milk in the above listed classes for any month for which the Secretary has found and declared that an emergency exists in the supplying of fluid milk to the marketing area shall be established by the Secretary.

Cancellation of designations for failure to meet the requirements of (3) (i) of this paragraph shall be limited to those plants of a handler necessary to result in a utilization of milk received at the remaining pool plants operated by such handler in Classes I-A, I-C, II-A, and II-B equal to the percentage herein provided.

Loss of approval by health authorities of a plant as a source of milk for the marketing area shall not in itself constitute adequate reason for the market administrator to suspend the designation of a plant for failure to meet the requirements of (3) (ii) of this paragraph unless the absence of such approval continues for more than 15 days.

No pool plant designation may be suspended by the market administrator prior to August 1, 1945, except for failure of the handler operating the plant to meet the requirements of (3) (ii) of this paragraph.

(5) *Plant replacements.* In addition to designations pursuant to (2) of this paragraph, a plant may be designated at any time as a pool plant upon application made by the person operating the plant to the Secretary showing that the plant is a replacement for one or more pool plants operated by him and that substantially all of the dairy farmers delivering milk to the pool plant or plants replaced. Upon designation of a plant pursuant to this subparagraph the designation of the plant or plants which it replaced shall be automatically cancelled.

(6) *Change of operator.* The designation of pool plants pursuant to this paragraph shall be considered as applicable to the plant as such, and subject to cancellation only pursuant to (4) and (5) of this paragraph, regardless of change in the person owning or operating the plant.

(b) *Plants shipping Class I-A milk to the marketing area.* For any month a plant from which during such month Class I-A milk is sold or distributed in or shipped to, either directly or through other plants, the marketing area, which quantity of milk during the months of July through March, is equal to more than 25 percent of the milk received directly from dairy farmers, or during the months of April through June is equal to more than 10 percent of the milk received directly from dairy farmers, shall be a pool plant: *Provided*, That for the months of April through June, no plant shall be a pool plant on this basis unless such plant met the requirements of a pool plant on this basis in each of the months of October, November, and December of the preceding year.

#### IV Amend § 927.3 as follows:

1. Change the section number from "927.3" to "927.4" and amend the section heading and paragraph (a) thereof to read:

§ 927.4 *Classification*—(a) *Basis of classification.* All milk, the classification of which is necessary to establish the classification of milk received from producers, and all milk entering the marketing area as milk, skim milk, cultured or flavored milk drinks, or cream, shall be classified in accordance with the form in which it is held at, or moved from, the plant at which classification is determined. Such classification shall be subject to the following conditions:

(1) *Burden of proof.* In establishing the classification of milk received from producers the burden rests upon the handler who received such milk from produc-

ers to show that such milk should not be classified as Class I-A, and having established the manufacture of cream, the burden rests upon such handler to show that the milk the butterfat from which was manufactured into cream should not be classified as Class II-A, and that the skim milk resulting from the manufacture of cream, should not be classified as Class V-A. The burden rests upon the handler who receives or distributes in the marketing area, milk, skim milk, cultured or flavored milk drinks, or cream, to establish the source of all of his milk or milk products.

(2) *Period for establishing classification.* A period ending with the last day of the month following the month during which milk was received from dairy farmers shall be allowed for handling such milk as a basis for establishing the classification as other than Class I-A.

(3) *Plant at which classification is to be determined.* Classification shall be determined at the plant where the milk is received from dairy farmers: *Provided*, That such milk shipped from such plant in the form of milk, skim milk, cream, or plain condensed milk, shall be classified at the plant or plants to which it is shipped, subject to the following limitations: (i) If the shipment is to a plant in the marketing area, milk shipped in the form of milk shall be classified as Class I-A, milk the butterfat from which is shipped in the form of cream shall be classified as Class II-A, and in the form of plain condensed milk as Class II-B unless such cream or plain condensed milk leaves the plant where first received in the marketing area in the form of frozen desserts or homogenized mixtures in which case the milk shall be classified in the appropriate class or classes for milk utilized in frozen desserts or homogenized mixtures; and skim milk shipped in the form of skim milk shall be classified as Class V-A, (ii) except as provided in (iii) (iv) (v) and (vi) of this paragraph, milk, skim milk, or milk the butterfat from which is shipped to a non-pool plant, shall be classified in accordance with the form in which it is held at or moved from such non-pool plant. If butterfat which is shipped as milk to a non-pool plant leaves such plant in the form of cream or plain condensed milk, the milk shall be classified in accordance with the form in which the cream or plain condensed milk is held at or moved from the plant to which it is shipped, except as provided in (iii) (v) and (vi) of this paragraph; (iii) if the shipment is to a plant at which the handling of milk is regulated by another order issued pursuant to the act, the milk or the milk the butterfat from which is so shipped, and which is not classified as Classes I-A, I-B, I-C, II-A, II-B, or II-C shall be classified as Class II-E if the marketing area pursuant to such order is in New England, and shall be classified as Class II-D if such marketing area is outside New England; (iv) if the shipment is in the form of milk shipped more than 65 miles from the plant where received from dairy farmers, to a plant outside New York State, Vermont, New Jersey, or Pennsylvania, it shall be classified as Classes I-A, I-B, or I-C; (v) if the ship-

ment is of cream or plain condensed milk shipped more than 65 miles from the plant where the milk was separated or condensed, to a plant in Maine, New Hampshire, Massachusetts, Rhode Island, or Connecticut, the milk the butterfat from which is so shipped shall be classified as Class II-E unless the cream or plain condensed milk is subsequently moved into the special cream area or the marketing area. This provision shall not apply to milk received from dairy farmers during April, May, and June; (vi) if the shipment is of cream or plain condensed milk shipped more than 65 miles from the plant where the milk was separated or condensed, to a plant outside New England, New York State, New Jersey or Pennsylvania, the milk the butterfat from which is so shipped shall be classified as Class II-D unless the cream or plain condensed milk is subsequently moved into the special cream area or the marketing area. This provision shall not apply to shipments to plants in Ohio, Maryland, or Delaware of milk received from dairy farmers during April, May, and June.

(4) *Plant loss.* Allowances for plant loss, not to exceed 5 percent of the butterfat in the product resulting from any specific plant operation, which plant loss may be classified the same as the milk equivalent of the butterfat in the product, shall be determined by the market administrator pursuant to (b) of this section.

(5) *Accounting procedure.* The accounting procedure for classifying milk pursuant to this section, including the conversion factors to be used in the absence of specific weights and tests, and the specific definitions of products included in each class, shall be set up by the market administrator pursuant to (b) of this section. Such accounting procedure shall be in accordance with the following general principles: (i) Milk, cream, or skim milk received from pool plants or from producers shall be assigned as far as possible to Class I-A, Class II-A, or Class V-A, unless such classification is based on some product leaving or on hand at the plant in some form other than milk, cream, skim milk, or other than cultured or flavored milk drinks shipped to or distributed in the marketing areas; (ii) if milk, cream, plain condensed milk, or skim milk is received at a plant from producers or from pool plants and in like form from dairy farmers not producers or from non-pool plants, the total milk equivalent of such products from producers and pool plants, and the total milk or milk equivalent from dairy farmers not producers and non-pool plants shall be assigned prorata to the total classification of all such milk or milk equivalent after the assignment in accordance with (i) of this subparagraph; (iii) the milk received from producers which is eliminated from the computation of the handler's net pool obligation pursuant to § 927.7 shall be assigned prorata to the total classification of all milk from producers and pool plants.

2. Add a new paragraph (b) as follows:

(b) *Rules and regulations.* Rules and regulations to effectuate the terms and

provisions of this section shall be made, and may from time to time be amended by the market administrator in accordance with the procedure set forth in this paragraph: *Provided*, That prior to the effective date of the first rules or regulations issued hereunder, and at any later time upon a determination by the Secretary that an emergency exists which requires the immediate adoption of a rule or regulation, the market administrator may issue, with the approval of the Secretary, a temporary rule or regulation without regard to the following procedure. Such temporary rule or regulation shall remain in effect only until the effective date of a rule or regulation issued pursuant to the procedure herein set forth replacing such temporary rule or regulation.

(1) All proposed rules and regulations and amendments thereto shall be the subject of a meeting called by the market administrator, at which time all interested persons shall have opportunity to be heard. Notice of such meeting, including a copy of the proposed rule or regulation, shall be sent at least five days prior to the date of the meeting to all handlers operating pool plants. A stenographic record shall be made at all such meetings and such record shall be public information available for inspection at the office of the market administrator.

(2) A period of at least five days after the meeting pursuant to (1) shall be allowed for the filing of briefs. Such briefs shall be public information available for inspection at the office of the market administrator.

(3) Not later than 30 days after a meeting pursuant to (1) the market administrator shall issue and send to all handlers operating pool plants the tentative rules or regulations or amendments thereto relating to the issues considered at such meeting, or a tentative notice that no rule or regulation or amendment thereto is to be issued prior to further consideration at another meeting. The tentative rules or regulations, or tentative notice, together with copies of the stenographic record and briefs, shall also at the same time be forwarded by the market administrator to the Secretary.

(4) The tentative rules or regulations and amendments thereto or tentative notice issued pursuant to (3) shall be final when approved by the Secretary and shall be effective as of the first of the month following such approval but not sooner than 10 days after issuance by the market administrator: *Provided*, That in the event that no action is taken by the Secretary the tentative rules or regulations and amendments thereto, or tentative notice issued by the market administrator shall be considered as approved by the Secretary 30 days after such issuance.

3. Change paragraph "(b)" to "(c)" and in the first sentence of such paragraph change the words "paragraph (a)" to "(a) and (b)."

4. Delete subparagraph (c) (1) and add in lieu thereof the following:

(1) Class I-A milk shall be all milk, except as provided in (2) and (3) hereof, which leaves a plant as milk, or cultured

or flavored milk drinks containing 3.0 percent butterfat or more, and all milk the classification of which is not established in some other class named in this paragraph.

(2) Class I-B milk shall be all milk which leaves a plant as milk, or cultured or flavored milk drinks containing 3.0 percent butterfat or more, which has not passed through the marketing area, but which is ultimately distributed in an area regulated by another order of the Secretary.

(3) Class I-C milk shall be all milk which leaves a plant as milk, or cultured or flavored milk drinks containing 3.0 percent butterfat or more, which has not passed through the marketing area, but including milk which was received directly from producers at a plant in the marketing area, and which is ultimately distributed in an area not regulated by an order of the Secretary.

5. Change the number of subparagraph (c) "(2)" to "(4)."

6. Change the number of subparagraph (c) "(3)" to "(5)"; change the section reference in such subparagraph from "§27.7 (j)" to "§27.8 (j)," and amend that part of such subparagraph preceding the first semicolon to read:

(5) Class II-B milk shall be all milk, except as set forth in (7), (8) and (9) of this paragraph, the butterfat from which leaves or is on hand at a plant in the form of plain condensed milk, frozen desserts or homogenized mixtures.

7. Change the number of subparagraph (c) "(4)" to "(6)."

8. Change the number of subparagraph (c) "(5)" to "(7)" and amend such subparagraph to include certain plain condensed milk by changing the subparagraph to read:

(7) Class II-D milk shall be all milk the butterfat from which leaves or is on hand at a plant in the form of cream or in the form of plain condensed milk or in the form of frozen desserts or in the form of homogenized mixtures used in frozen desserts, which is delivered to a plant or a purchaser outside the marketing area, outside the special cream area and outside New England: *Provided*, That the cream or the plain condensed milk is not moved to a plant in the marketing area, in the special cream area, or in New England, or delivered to a purchaser in the marketing area, in the special cream area, or in New England: *Provided further*, That the frozen desserts, or the homogenized mixtures used in frozen desserts are not moved to a plant in New York City, or delivered to a purchaser in New York City.

9. Change the number of subparagraph (c) "(6)" to "(8)" and amend such subparagraph to include certain plain condensed milk by changing the subparagraph to read:

(8) Class II-E milk shall be all milk the butterfat from which leaves or is on hand at a plant in the form of cream or in the form of plain condensed milk or in the form of frozen desserts or in the form of homogenized mixtures used in frozen desserts, which is delivered to a plant or a purchaser in New England;

*Provided*, That the cream or the plain condensed milk is not moved to a plant outside New England or delivered to a purchaser outside New England: *Provided further*, That the frozen desserts or homogenized mixtures used in frozen desserts are not moved to a plant in New York City or delivered to a purchaser in New York City.

10. Change the number of subparagraph (c) "(7)" to "(9)" and amend such subparagraph to include certain plain condensed milk by changing the subparagraph to read:

(9) Class II-F milk shall be all milk the butterfat from which leaves or is on hand at a plant in the form of plain condensed milk which is delivered to a plant or a purchaser in the special cream area, is not moved as plain condensed milk to a plant in the marketing area or delivered to a purchaser in the marketing area, and the classification of which is not established in some other class; or all milk the butterfat from which leaves or is on hand at a plant in the form of frozen desserts or in the form of homogenized mixtures used in frozen desserts, except as set forth in subparagraphs (7) and (8) of this paragraph, provided the frozen desserts in both instances were moved to a plant or delivered to a purchaser outside New York City and remained outside New York City; or all milk the butterfat from which leaves or is on hand at a plant in the form of cream cheese.

11. Change the number of subparagraph (c) "(8)" to "(10)"; change the subparagraph references therein from "(7) and (10)" to "(9) and (12)," respectively, and add therein the words "ice cream powder" immediately after the words "malted milk powder."

12. Change the number of subparagraphs (c) "(9)" and "(10)" to "(11)" and "(12)," respectively.

13. Change the number of subparagraph (c) "(11)" to "(13)" and change the subparagraph reference numbers therein from "(2)," "(3)," "(4)," "(5)," "(6)," "(7)," "(9)" and "(12)" to "(4)," "(5)," "(6)," "(7)," "(8)," "(9)," "(11)," and "(14)."

14. Change the number of subparagraph (c) "(12)" to "(14)" and change the subparagraph reference numbers therein from "(2)," "(3)," "(4)," "(5)," "(6)," "(7)," "(9)" and "(11)" to "(4)," "(5)," "(6)," "(7)," "(8)," "(9)," "(11)" and "(13)."

V. Amend § 927.4 as follows:

1. Change the section number from "927.4" to "927.5."

2. Amend the second paragraph in the section to read:

The prices for milk classified pursuant to (4), (5), (6), (7), (8), (9) and (11) of § 927.4 (c) shall represent the value of the 40 percent cream equivalent of the milk. The value of any excess skim milk in such milk shall be represented by either the Class V-A or the Class V-B price.

3. Amend that part of subparagraph (a) (1) preceding the table to read: "(1) For Class I-A milk the price per hundredweight during each month shall be as set forth in the table in this paragraph:" and change the words "Class I



price" in the heading of the table to the words "Class I-A price."

4. Amend subparagraph (a) (3) to read:

(3) For Class I-B milk the price shall be the Class I price set forth in the order regulating the handling of milk in the area on which the classification is based, subject to the butterfat and transportation differentials set forth in such order.

5. Amend subparagraph (a) (4) to read:

(4) For Class I-C milk the price shall be the uniform price computed by the market administrator pursuant to § 927.7 (b) plus 20 cents per hundredweight.

6. Amend subparagraph (a) (6) to read:

(6) For Class II-B milk the price during March through July shall be 30 cents less than the Class II-A price and for each other month shall be 25 cents less than the Class II-A price: *Provided*, That in no event shall the Class II-B price be lower than the Class II-C price or lower than the Class II-D price minus 5.5 cents.

7. In subparagraph (a) (14) change the words "Class I" to "Class I-A" and change the reference from "927.3 (b) (11)" to "927.4 (c) (13)."

8. Amend paragraph (b) to read:

(b) *Butterfat differentials.* The minimum price for Classes I-A and I-C milk shall be plus or minus 4 cents for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent. The minimum price for Class IV-B milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount equal to the price set forth in subparagraph (13) of paragraph (a) of this section, divided by 9.45 and multiplied by 0.23. The minimum price for each of the other classes, except Classes I-B, V-A, and V-B, shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount equal to the respective prices set forth in paragraph (a) of this section, divided by 35.

9. Amend paragraph (c) by changing the heading in Column B of the table contained therein from "Classes I and V-A" to "Classes I-A, I-C, and V-A."

VII. Amend § 927.5 as follows:

1. Change the section number from "927.5" to "927.6" and amend paragraph (a) thereof to read:

(a) *Monthly reports.* On or before the 10th day of each month, each handler shall report to the market administrator, for the preceding month, in the manner and on forms prescribed by the market administrator, with respect to milk or milk products received at each of his pool plants, and at each of his plants where milk or milk products subject to payments under § 927.8 (e) were handled, the following:

(1) The total quantity of milk and of each milk product, with the average butterfat content thereof, received from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(2) The total quantity of milk and of each milk product moved out of, or on

hand at, such plant, the average butterfat content thereof, and the destination of any milk or milk product the classification of which wholly or partially depends upon its destination, moved out of such plant;

(3) The disposition of milk or milk product at each other plant at which the disposition of any milk or milk product is claimed as the basis of classification, such disposition to be covered by a signed statement of the plant operator if such other plant is not a pool plant;

(4) The computation pursuant to § 927.7 (a) of such handler's net pool obligation; and

(5) The computation of the amount of any payments pursuant to § 927.8 (e).

2. Change the section reference number in paragraph (b) (i) (iv) from "927.7" to "927.8."

3. Change paragraph "(c)" to "d" and in subparagraph (3) thereof change the section reference number from "927.7" to "927.8" and in subparagraph (4) change the section references from "927.7 (d), (e), and (f)" to "927.8 (d) and (f)."

4. Add a new paragraph (c) to read:

(c) *Other reports.* At such time as the market administrator may request, each handler shall report to the market administrator in the manner and on forms prescribed by the market administrator:

(1) The total quantity of milk and of each milk product received at his non-pool plants, with the average butterfat content thereof, from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(2) The total quantity of milk and of each milk product moved out of, or on hand at, his non-pool plants, the average butterfat content thereof, and the destination of any milk or milk product moved out of such plants;

(3) Information concerning land, building, surroundings, facilities, and equipment at any of his plants;

(4) The current receipts and utilization of milk at each of his pool plants; and

(5) Such other information as may be necessary for the administration of this order.

VIII. Amend § 927.6 as follows:

1. Change the section number from "927.6" to "927.7."

2. Delete paragraph (a) from the beginning through (a) (5) and add in lieu thereof the following:

§ 927.7 *Determination of uniform price.* The uniform price shall be computed in accordance with the provisions set forth in this section. Milk received from farms in Nassau or Suffolk Counties, New York, which farms are not approved for sale of milk in New York City, or received from the handler's own farm shall not be included in this computation, and such milk shall be deemed to be excluded by the phrase, "milk received from producers" as such phrase is used in (a) and (b) of this section, in (d) and (g) of § 927.8, and in § 927.9.

(a) *Net pool obligation of handlers.*

(1) Determine the classification pursu-

ant to Sec. 927.4 of milk received from producers at each pool plant;

(2) Subject to adjustment for appropriate differentials pursuant to § 927.5 (b) and (c), multiply the Class I-C milk by 20 cents per hundredweight, multiply the remaining milk or skim milk, as the case may be, in each class by the class price and add together the resulting values;

3. Change the number of subparagraph (a) "(6)" to "(3)" and change the section reference number therein from "927.7 (c)" to "927.8 (c)."

4. Change the number of subparagraph (a) "(7)" to "(4)" and change the section reference number therein from "927.4 (c) (1)" to "927.5 (c) (1)."

5. Change the number of subparagraphs (a) "(8)" and "(9)" to "(5)" and "(6)," respectively.

6. Change the first section reference in paragraph (b) from "927.7 (g)" to "927.8 (g)."

7. Amend paragraph (b) (2) to read:

(2) Subtract the total of payments required to be made for such month by § 927.8 (d);

8. Add a new subparagraph (b) (3) to read:

(3) Add the total payments required to be made by handlers for such month pursuant to § 927.8 (e);

9. Change the number of subparagraphs (b) "(3)" and "(4)" to "(4)" and "(5)" respectively.

10. Change the number of subparagraph (b) "(5)" to "(6)" and amend to read:

(6) Subtract the Class I-C milk of all handlers whose reports are included in this computation from the total milk received from producers by all such handlers; and

11. Change the number of subparagraph (b) "(6)" to "(7)" and change the references "(4)" and "(5)" therein to "(5)" and "(6)," respectively.

VIII. Amend § 927.7 as follows:

1. Change the section number from "927.7" to "927.8."

2. Change the references in subparagraph (b) (1) from "927.4 (c) (1)" to "927.5 (c) (1)."

3. Change the reference in subparagraph (b) (2) from "927.6 (a) (8)" to "927.7 (a) (5)."

4. Amend paragraph (c) to read:

(c) *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer during any month, an amount equivalent to the average of the butterfat differentials determined pursuant to § 927.5 (b), for each class, except Class I-B, weighted by the pounds of butterfat in the milk in each such class used in the computation of the uniform price for the preceding month. Such differential shall be computed to the nearest even tenth of a cent.

5. Add a new paragraph (e) to read:

(e) *Payments for milk or milk products from other than producer sources.* (1) Payment shall be made by handlers to producers through the producer-set-



tlement fund for milk, cultured or flavored milk drinks, cream, or skim milk, which milk products meet each of the following provisions: (i) It was derived from milk received at some plant from dairy farmers who are not producers; (ii) it was received at a plant in, or delivered to a purchaser in the marketing area, or was received at a pool plant outside the marketing area and assigned either to shipments to the marketing area of milk, cultured or flavored milk drinks, cream, or skim milk, or to plant loss; and (iii) the milk or milk equivalent of the butterfat is classified as Class I-A or Class II-A, or the skim milk is classified as Class V-A.

(2) The amount of payment for the products set forth in (1) of this paragraph shall be as follows: (i) If the milk, or the milk equivalent of the butterfat, or the skim milk is classified and paid for under another order issued pursuant to the Act, the amount of payment shall be any plus amount obtained by subtracting the value of the milk, the milk equivalent of the butterfat, or the skim milk at the class price or prices under such other order from the value computed in accordance with the classification and pricing set forth in this order; (ii) If the milk or milk product is derived from milk the handling of which is not regulated by another order issued pursuant to the Act, the amount of payment shall be as follows: For milk, or for cultured or flavored milk drinks containing 3.0 percent butterfat or more, the difference between the value of such milk or cultured or fla-

vored milk drinks at the Class I-A price in the 201-210 mile zone and the value computed at the Class IV-A and Class V-B prices; for cream, or for cultured or flavored milk drinks containing less than 3.0 percent butterfat, the difference between the value of the milk equivalent of such cream or milk drinks at the Class II-A price in the 201-210 mile zone and at the Class IV-A price (milk equivalent in each case to be computed on the basis of milk containing 3.5 percent butterfat); and for skim milk (either as skim milk or in cultured or flavored milk drinks), the difference between the value computed at the Class V-A price in the 201-210 mile zone and the Class V-B price; (iii) in the event that the source of such milk or milk product is not revealed, the amount of payment shall be the full value at the class prices in the 201-210 mile zone.

(3) Payment for any milk or milk product pursuant to this paragraph shall be made only once and shall be made by the appropriate handler as set forth in the following provisions: (i) By the handler first receiving the milk or milk product at a pool plant outside the marketing area; (ii) by the handler operating the plant where the milk or milk product is first received in the marketing area if the milk or milk product is not received at a pool plant outside the marketing area; or (iii) by the handler operating the plant from which the milk or milk product was delivered to a purchaser in the marketing area if such milk or milk product is neither received at a pool plant outside the marketing

area nor at a plant in the marketing area.

(4) Payments pursuant to this paragraph shall be due at the time of filing the reports pursuant to § 927.6 (a).

6. Change the reference in paragraph (f) from "927.3 (b) (3)" to "927.4 (c) (5)."

7. Amend paragraph (g) by changing in the first sentence the first series of paragraph references therein from "(h) and (j)" to "(e), (h), and (j)" and the second series of paragraph references therein from "(e), (f), and (j)" to "(f) and (j)", and by changing in the second sentence the words "Class I milk priced pursuant to § 927.4 (a) (4)" to the words "Class I-C milk."

IX. Amend § 927.8 as follows:

1. Change the section number from "927.8" to "927.9" and change the classes listed therein from "I, II-A, and II-B," to "I-A, I-B, I-C, II-A, and II-B."

X. Amend § 927.9 as follows:

1. Change the section number from "927.9" to "927.11."

XI. Add a new § 927.12 as follows:

§ 927.12 *Designation of agent by Secretary.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 30th day of January 1945.

H. E. REED,  
Acting Director of  
Marketing Services.

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